

# AN EVALUATION OF THE ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM

---

## HEARING BEFORE THE SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS OF THE COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

---

OCTOBER 9, 2002

---

**Serial No. 107-120**

---

Printed for the use of the Committee on International Relations



Available via the World Wide Web: [http://www.house.gov/international\\_relations](http://www.house.gov/international_relations)

---

U.S. GOVERNMENT PRINTING OFFICE

82-261PDF

WASHINGTON : 2002

---

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Internet: [bookstore.gpo.gov](http://bookstore.gpo.gov) Phone: toll free (866) 512-1800; DC area (202) 512-1800  
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

## COMMITTEE ON INTERNATIONAL RELATIONS

HENRY J. HYDE, Illinois, *Chairman*

BENJAMIN A. GILMAN, New York	TOM LANTOS, California
JAMES A. LEACH, Iowa	HOWARD L. BERMAN, California
DOUG BEREUTER, Nebraska	GARY L. ACKERMAN, New York
CHRISTOPHER H. SMITH, New Jersey	ENI F.H. FALEOMAVAEGA, American Samoa
DAN BURTON, Indiana	DONALD M. PAYNE, New Jersey
ELTON GALLEGLY, California	ROBERT MENENDEZ, New Jersey
ILEANA ROS-LEHTINEN, Florida	SHERROD BROWN, Ohio
CASS BALLENGER, North Carolina	CYNTHIA A. MCKINNEY, Georgia
DANA ROHRABACHER, California	EARL F. HILLIARD, Alabama
EDWARD R. ROYCE, California	BRAD SHERMAN, California
PETER T. KING, New York	ROBERT WEXLER, Florida
STEVE CHABOT, Ohio	JIM DAVIS, Florida
AMO HOUGHTON, New York	ELIOT L. ENGEL, New York
JOHN M. McHUGH, New York	WILLIAM D. DELAHUNT, Massachusetts
JOHN COOKSEY, Louisiana	GREGORY W. MEEKS, New York
THOMAS G. TANCREDO, Colorado	BARBARA LEE, California
RON PAUL, Texas	JOSEPH CROWLEY, New York
NICK SMITH, Michigan	JOSEPH M. HOFFEL, Pennsylvania
JOSEPH R. PITTS, Pennsylvania	EARL BLUMENAUER, Oregon
DARRELL E. ISSA, California	SHELLEY BERKLEY, Nevada
ERIC CANTOR, Virginia	GRACE NAPOLITANO, California
JEFF FLAKE, Arizona	ADAM B. SCHIFF, California
BRIAN D. KERNS, Indiana	DIANE E. WATSON, California
JO ANN DAVIS, Virginia	
MARK GREEN, Wisconsin	

THOMAS E. MOONEY, SR., *Staff Director/General Counsel*

ROBERT R. KING, *Democratic Staff Director*

---

## SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

ILEANA ROS-LEHTINEN, Florida, *Chairwoman*

CHRISTOPHER H. SMITH, New Jersey	CYNTHIA A. MCKINNEY, Georgia
RON PAUL, Texas	ROBERT MENENDEZ, New Jersey
CASS BALLENGER, North Carolina	GRACE NAPOLITANO, California
THOMAS G. TANCREDO, Colorado	ADAM B. SCHIFF, California
JOSEPH R. PITTS, Pennsylvania	

YLEEM POBLETE, *Subcommittee Staff Director*

KHALED ELGINDY, *Democratic Professional Staff Member*

SANDY ACOSTA, *Staff Associate*

# CONTENTS

	Page
WITNESSES	
John Hanford, Ambassador-at-Large for International Religious Freedom, U.S. Department of State .....	12
Felice Gaer, Chair, U.S. Commission on International Religious Freedom .....	31
Ghayret Sidik, Uyghur victim of religious persecution in China .....	44
Udit Raj, Buddhist victim of religious persecution in India .....	49
Naseer Ahmad, Ahmadiyya Muslim Victim of Religious Persecution in Paki- stan .....	55
Sayed Mustafa Al-Qazwini, Founding Imam and Director, Islamic Educational Center of Orange County .....	58
Jason Erb, appearing on behalf of Nihad Awad, Executive Director, Council on American-Islamic Relations .....	61
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
The Honorable Ileana Ros-Lehtinen, a Representative in Congress from the State of Florida, and Chairwoman, Subcommittee on International Oper- ations and Human Rights: Prepared statement .....	3
The Honorable Christopher H. Smith, a Representative in Congress from the State of New Jersey: Prepared statement .....	9
John Hanford: Prepared statement .....	14
Felice Gaer: Prepared statement .....	33
Ghayret Sidik: Prepared statement .....	47
Udit Raj: Prepared statement .....	51
Naseer Ahmad: Prepared statement .....	57
Sayed Mustafa Al-Qazwini: Prepared statement .....	60
Nihad Awad, Executive Director, Council on American-Islamic Relations: Pre- pared statement .....	63
APPENDIX	
Mary Beth Markey, Executive Director, International Campaign for Tibet: Prepared statement .....	77
Joseph K. Grieboski, President, Institute on Religion and Public Policy: Pre- pared statement .....	78
Letter to the Honorable Colin Powell, Secretary of State, on CPC designa- tions .....	80
Felice Gaer: Responses to questions by the House Subcommittee on Inter- national Operations and Human Rights .....	83



## AN EVALUATION OF THE ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM

---

WEDNESDAY, OCTOBER 9, 2002

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON INTERNATIONAL  
OPERATIONS AND HUMAN RIGHTS,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Subcommittee met, pursuant to call, at 2:05 p.m. in Room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen [Chairwoman of the Subcommittee] presiding.

Ms. ROS-LEHTINEN. The Subcommittee will come to order. Thank you all very much for being here. I thank my colleagues for being here as well.

Our first President, George Washington, said, I beg you will be persuaded that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny and every species of religious persecution. These words ring out across the years as if written today to remind us of our moral obligation to uphold and defend the rights of all human beings to practice their religion, religion or beliefs, free of intimidation. The reports that we are discussing today are an integral part of our U.S. efforts to fulfill this very commitment.

Even as we speak, there are those who are suffering torture, imprisonment, rape, and murder, all because they seek to practice their faith: Christians and Ahmadi Muslims in Pakistan, Protestants and Catholics in Cuba, Tibetan Buddhists, Christians, Falun Gong, Uyghur Muslims in China, Baha'is, Jews, Evangelical Christians, Sufi Muslims in Iran, Christians and Shias in Iraq.

Although some improvements are reported to have taken place in countries such as Belarus, Bulgaria, Romania, Egypt and Yugoslavia, there are still deplorable conditions in countries such as Sudan where the regime continued the intentional bombing of civilian targets, the forced abduction of women and children, and supported the taking of slaves with Christians or practitioners of traditional indigenous religions as their primary targets.

Overall, the 2002 report reflects an unparalleled understanding of the spirit and the letter of the International Religious Freedom Act and of the need for a detailed, comprehensive assessment of the status of religious freedom. All involved in the process from beginning to end should be commended. The 2002 report also reflects an understanding of our desire for U.S. Government officials to take a more proactive role in investigating the status of religious freedom in the countries covered by the report and in using all bilat-

eral meetings and multilateral fora to press for concrete, positive change in the violator countries.

In many instances, the reports adhere to the parameters revealed in the Secretary of State's remarks on Monday of this week where he underscored that,

"The United States categorically rejects the notion that security or stability of any country requires the repression of members of any faith or precludes the promotion of religious tolerance."

However, there are instances such as in the report on Pakistan where troublesome references are included which could be interpreted as excusing on the grounds of security and stability Musharraf's failures and unwillingness to provide for religious freedom.

Some of these references include, and I will be quoting, religious and sectarian groups mounted large-scale protests against a proposed change in the blasphemy laws, and when blasphemy and other religious cases are brought to court, extremists often pack the courtroom and make public threats against an acquittal. And, in response to increasing pressure and threats, Musharraf abandoned the proposed reforms to the blasphemy laws.

The executive summary does a superb job of describing the dangerous trend in Western Europe relating to anti-cult or anti-sect policies which discriminate against minority or nontraditional religions and in some cases result in coordinated harassment and intimidation. It further refers to the adoption of discriminatory legislation in democratic or aspiring democracies, which, in my view, is an indication that the Department shares Congress' concerns about the status of religious freedom in Europe.

However, some would argue that the gravity of the situation in these countries as it relates to the rise of anti-Semitism, for example, is not fully presented in the reports. In testimony provided in August of this year, the Chair of the U.S. Commission on International Religious Freedom stated, when burnings, beatings and other acts of violence are directed at a particular group because of who they are and of what they believe, it should be clear that they reflect degradations of human dignity and raise human rights matters.

The Chairman underscored that the problem is widespread and that anti-Jewish sentiment is surfacing again with apparent immunity. She further added that it took months for the European government officials to even acknowledge that these incidents were, in fact, anti-Semitic. For these and other reasons, it is disconcerting to read in the France report, for example, that "disaffected youths were responsible for many of the incidents."

This hearing will address these and other issues pertaining to specific country reports as well as matters relating to the implementation of the International Religious Freedom Act in an effort to assure cooperation and agreement on priorities for U.S. religious freedom policy.

I would like to welcome all of our witnesses here today and give a special thanks to the victims who will provide firsthand accounts

of the suffering they, their families, their friends and their fellow believers still endure. Thank you.

[The prepared statement of Ms. Ros-Lehtinen follows:]

PREPARED STATEMENT OF THE HONORABLE ILEANA ROS-LEHTINEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA, AND CHAIRWOMAN, SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

Our first President, George Washington, said: "I beg you will be persuaded that no one would be more zealous than myself, to establish effectual barriers *against* the horrors of *spiritual tyranny* and *every species of religious persecution*."

These words ring out across the years, as if written today, to remind us of our moral obligation, to *uphold* and *defend* the right of *all* human beings to practice their religion or beliefs, free of intimidation.

The reports we are discussing today are an integral part of U.S. efforts to fulfill this commitment.

Even as we speak, there are those suffering torture, imprisonment, rape, murder—all because they seek to practice their faith. Christians and Ahmadi Muslims in *Pakistan*; Protestants and Catholics in *Cuba*; Tibetan Buddhists, Christians, Falun Gong, and Uighur Muslims in *China*; Ba'hai, Jews, evangelical Christians, and Sufi Muslims in *Iran*; Christians and Shi'as (SHE-AHS) in *Iraq*.

Although some improvements were reported to have taken place in countries such as Belarus, Bulgaria, Romania, Egypt, and Yugoslavia, there are still *deplorable* conditions in countries such as *Sudan*, where the regime continued the *intentional* bombings of *civilian* targets; the *forced abduction* of women and children; and supported the *taking of slaves*, with Christians or practitioners of traditional indigenous religions, as the primary targets.

Overall, the 2002 reports, reflect an *unparalleled* understanding of the *spirit and letter* of the International Religious Freedom Act, and of the need for a detailed, comprehensive assessment of the status of religious freedom.

All involved in the process should be commended.

The 2002 reports also reflect an understanding of our desire for U.S. government officials to take a more pro-active role in: (1) investigating the status of religious freedom in the countries covered by the report and (2) in using all bilateral meetings and multilateral fora to press for *concrete*, positive change in the violator countries.

In many instances, the reports adhere to the parameters revealed in the Secretary of State's remarks on Monday of this week, where he underscored that: "the United States categorically rejects the notion that security or stability of any country requires the repression of members of any faith or precludes the promotion of religious tolerance."

However, there are instances, such as in the report on Pakistan, where troublesome references are included, which could be interpreted as *excusing*, on the grounds of security and stability, Musharaff's failures and unwillingness to provide for religious freedom.

Some of these references include: "Religious and sectarian groups mounted large-scale protests against the proposed change [in the blasphemy laws] . . ." and "When blasphemy and other religious cases are brought to court, extremists often pack the courtroom and make public threats, against an acquittal" and "In response to increasing pressure and threats, Musharaff abandoned the proposed reforms to the blasphemy laws."

The Executive Summary does a superb job of describing the dangerous trend in Western Europe relating to "anti-cult" and "anti-sect" policies, which discriminate against minority or non-traditional religions and, in some cases, result in coordinated harassment and intimidation.

It further refers to the adoption of discriminatory legislation in democratic or aspiring democracies which, in my view, is an indication that the Department shares Congress' concerns about the status of religious freedom in Europe.

However, some would argue that the gravity of the situation in these countries, as it relates to the rise of anti-Semitism, for example, is not fully presented in the reports.

In testimony provided in August of this year, the Chair of the U.S. Commission on International Religious Freedom, Felice Gaer, stated: "When burnings, beatings and other acts of violence are directed at a particular group, because of who they are and what they believe, it should be clear that they reflect degradations of human dignity and raise human rights matters."

Chairman Gaer underscored that the problem is widespread and that anti-Jewish sentiment is surfacing again with apparent impunity.

She further added that it took months for European government officials to even acknowledge that these incidents were, in fact, antisemitic. For these and other reasons, it is disconcerting to read in the France report, for example, that: "disaffected youths were responsible for many of the incidents."

This hearing will address these and other issues pertaining to specific country reports, as well as matters relating to the implementation of the International Religious Freedom Act, in an effort to ensure cooperation and agreement on priorities for U.S. religious freedom policy.

I would like to welcome all of our witnesses today and give a special thanks to the victims, who will provide first-hand accounts of the suffering *they; their families; their friends; their fellow believers* endure.

Ms. ROS-LEHTINEN. I would like to yield to the Ranking Member, my friend Cynthia McKinney of Georgia.

Ms. MCKINNEY. Thank you, Madam Chair.

On Monday the State Department released its *Annual Report on International Religious Freedom*, which, according to the Administration, will shed much needed light on governments that make it difficult and even dangerous for people to follow the dictates of their conscience and to practice their faith.

During this time in the history of our Nation and world, religious freedom is of the utmost importance. While America is deciding whether or not we send our young men and women off to war, people throughout this country are turning to their faith and are praying at home, in churches, in synagogues, in temples, in mosques and wherever they can steal a moment of peace. They are praying that, while Saddam Hussein is a brutal dictator whose regime has terrorized the Iraqi people and the peoples of nearby countries, that this Administration will stop and think about the needless suffering that the women, children, elders and men of Iraq will endure should the U.S. hastily move forward with a preemptive strike on the country they call home. They are praying that as President Bush is confronted with the what-to-do question, he will choose diplomatic means to deal with the current situation in Iraq rather than waging war on innocent people who have already suffered greatly.

While the State Department views religious freedom as one of the most fundamental human rights and as a liberty long championed by the United States and the American people, we must not forget that the American people are also firmly against the widespread loss of life as a result of war and violence.

Madam Chair, according to the Report on International Religious Freedom, we know that China, Burma, Cuba, Laos, North Korea and Vietnam all engage in widespread repression of religion as they view religious worship as a threat to their dominant ideology. In addition, we know that several countries were listed as having discriminatory legislation or policies, including Israel, as it refuses to recognize the Greek Orthodox Church's Patriarch for the Holy Land, Irineos I. We know that in China, unapproved religious and spiritual groups remain under scrutiny and in some cases harsh repression. In Vietnam, there were credible reports that in past years Hmong Protestant Christians in several villages were forced by local authorities to recant their faith. In India, Muslims were the victims of sustained communal violence and genocide in the state of Gujarat. In Burma, the government continued to view religious



freedom in the context of threats to national security. And in Cuba, citizens worshipping in officially sanctioned churches often were subjected to surveillance by state security forces.

Madam Chair, while I do not dispute that repression of religion exists in these countries and that we must do all that we can to combat it, as a democracy we must not only point the finger of blame, but acknowledge that we, too, are guilty of religious repression. On Sunday, October 6, 2002 a New York Times article read, FBI Keeps Watch on Muslims. The article goes on to quote senior law enforcement officials discussing the FBI's ability to conduct domestic surveillance of public gatherings, including those of religious and political organizations. According to the officials, surveillance is being carried out by every major FBI office and involves 24-hour monitoring, which includes heavy surveillance of mosques.

According to the ACLU, this type of surveillance is reminiscent of the period between the 1950s and 1960s when the Agency spied on and persecuted Dr. Martin Luther King, Jr., and other political leaders. This statement prompted a Roanoke, Virginia publication to release an article with the headline, Hoover Lives, of course referring to the tyrannical former FBI Director J. Edgar Hoover, who was notorious for carrying out unethical and discriminatory acts during his tenure, and who presided over the counterintelligence program, the COINTELPRO program.

Recently Secretary Powell stated that the United States categorically rejects the notion that the security or stability of any country required the repression of members of any faith. While I agree wholeheartedly with this statement, I must question these words as right here in these United States a Muslim is subject to unauthorized surveillance in his or her house of worship while members of other faith backgrounds are not subjected to such widespread scrutiny.

How can we criticize Cuba for its actions and call for reform when right here in our own country we are guilty of the same thing? Right here in the United States many Arab American and Muslim groups have complained that the intense FBI campaign which they say has been evident for months has unfairly left the perception that all young men of Arab descent or the Muslim faith have some connection to terrorism. Our Muslim and Arab brothers and sisters who are citizens of this country just as we are have been made to feel like criminals in their own home. We are no longer a democracy if we allow this blatant discrimination to continue.

It is my hope that today and in the future as we evaluate religious freedom globally, we will turn away from pointing the finger at the outside, at others, and begin to also acknowledge and address failures right here in the United States.

Thank you, Madam Chair.

Ms. ROS-LEHTINEN. Thank you, Ms. McKinney.

To compare any country to the United States to me is just unbelievable, and to say that the United States and Cuba are synonymous in the respect or disrespect of religious freedoms is just mind-blowing. Thank you.

Mr. Smith.

If you would like to respond, you may do so.

Ms. MCKINNEY. Madam Chair, you know that we have had many instances in this Subcommittee where I have especially championed the role of human rights in the United States. And, in fact, we have a request, that was denied, to look at human rights in the United States.

The United States is a party to conventions and treaties in which we certify that we are going to respect human rights, human rights to prevent racial discrimination, for example. And the United States has to present to the United Nations its progress report on respect for human rights in the United States, yet we are not allowed to have a hearing about human rights in the United States by this Subcommittee by the Republican Majority. And so I appreciate that we will have at least one witness here who will talk about discrimination in the United States, but we need to have an entire panel where we can discuss discrimination in the United States.

As I look out among the audience here, I see young people who themselves want to talk about human rights in the United States. Why? Because we have the COINTELPRO victims of the counter-intelligence program where people, Native Americans, Latinos, blacks, progressive whites, were targeted by the FBI, and that targeting resulted in people being imprisoned, in fact. In some cases it resulted in people being assassinated, in fact. And so we do need to talk about human rights in the United States.

We also recently had the example of the Judi Bari and Darryl Cherney trial in which the FBI tried to frame innocent environmentalists who were doing nothing more than trying to protect our environment for all of us, and the jury came back with a decision that said that the FBI went too far.

What we are talking about is respect for human rights here at home, and we deserve to have a hearing about respect for human rights here at home. One of the witnesses who will present testimony today will talk about the role that his organization plays in trying to safeguard and protect Americans from discrimination here at home.

Ms. ROS-LEHTINEN. Thank you, Ms. McKinney.

I would just like to point out to the Members and the audience and the panelists that this is the Committee on International Relations. This is the Subcommittee on International Operations and Human Rights. Once again, I have said this to my Ranking Member many times, I wish that she had been reelected by her constituents so she could get out of this Committee and go to another Committee.

Ms. MCKINNEY. I wouldn't get out of this Committee, but the fact of the matter is that the jurisdiction of this Subcommittee has jurisdiction over international operations, and the United Nations is one such operation over which we have jurisdiction.

Ms. ROS-LEHTINEN. Thank you very much.

Ms. MCKINNEY. The fact that we sign conventions and treaties with the United Nations means that we ought to have hearings on those treaties just like we are having now on this particular legislation with respect to religious freedom.

Ms. ROS-LEHTINEN. Thank you, Ms. McKinney. It is a shame not to have you back with us next year.

Mr. Smith.

Mr. SMITH. Thank you very much.

Just let me say, and I would just point out to our assembled witnesses, and I think they know this is the International Operations and Human Rights Committee. The Judiciary Committee would be the proper place for that discussion—there is a division of labor. For example, I was the prime sponsor, as you know, Madam Chair, of the Trafficking Against Persons Act. We held hearings here. But there were also hearings for that part of the bill that was germane to domestic law, and that was all handled by the Judiciary Committee.

There is a division of labor, and where there are problems with U.S. violations of human rights or police brutality or any other problem, they obviously should be more focused as a discussion within the Judiciary Committee because of that division of labor.

Plus, and I think this needs to be stated over and over again, we do have mechanisms in place, not perfect, but certainly in place, where there are public advocates, ombudsmen even within our own police departments. Where they have an internal affairs department, and when things do go amok, there is a process, and people are held accountable.

That is not the case, Madam Chair, as we know, in many of these dictatorships, all of the dictatorships, for that matter, where human rights are violated with impunity, and people of faith, whether they be Falun Gong, Catholic, Protestant, Uyghurs, Muslims, Buddhists, you name their belief system, they are treated very harshly. Very often, as we see in the People's Republic of China and so many other countries, they are subjected to cruel torture as a result of their beliefs.

I just left the rally that is occurring in front of the United States Supreme Court. There a number of people concerned about human rights violations in China and the upcoming visit of Jiang Zemin, are asking that the President aggressively raise the issue of human rights, and in particular religious freedom and all the other issues that are being violated on a massive scale by that dictatorship.

Let me just say, and I think your point was well taken, there is a division of labor, but where there are problems in the U.S., one of the things that the Soviets did was to raise questions about human rights in America. I Co-Chair now the U.S. Commission for Security and Cooperation in Europe, which monitors human rights in 54 different countries. We always invite them to make statements. Let us see what you have to say about the United States. And where there is a problem, we at least have a process whereby it could be fixed.

We are a work in progress. The problem with so many countries in the world, they are a work in retrogression, where things are going from bad to worse as these dictatorships continue to solidify their power through the butt of a rifle and through torture.

Let me just say very briefly that was very much offbase by our real friend and distinguished colleague from Georgia.

The International Religious Freedom Act is historic legislation. Four years ago when it was enacted, many of us had very, very high hopes, and many of those hopes are being realized on a daily basis.

I want to especially thank our very distinguished Ambassador John Hanford for assuming that very important role. He is doing a tremendous job.

I want to note that Tom Farr, who serves with Ambassador Hanford and is also an expert in the field of religious freedom, you and your whole staff are on the job, you are working hard, and we are very much appreciative for the good, fine and valuable work that you do.

Let me remind my colleagues, though, and there are always little turf battles within the State Department. The Ambassador-at-Large for Religious Freedom, the legislation could not have been clearer about this, as the Ambassador is to be the principal adviser to the President and the Secretary of State. We made that very clear. I chaired the Committee hearings and the markup of that legislation. We wanted you to be the point person, and I hope that is indeed happening because you are the eyes and the ears of this Administration when it comes to religious freedom issues. We certainly, collectively and bipartisanly, want to make that point, because that is what we intended when we enacted that legislation.

I will remind Members that it was very hard getting that bill passed. The previous Administration was against it. Secretary of State Albright and John Shattuck and others made the point that if we passed this into law, it would set up a hierarchy of human rights vis-a-vis religious freedom and all other human rights, which was absolute, unmitigated nonsense. We made the point then, and it is as valid now as it was then, that human rights have been the stepchild, an asterisk very often at the bottom of a page. When the obligatory discussion on human rights would occur, it would be, oh, yeah, religious freedom, let me just say a word about that, if it even made it as an asterisk. We wanted to catapult it into a place of prominence.

I remember making the point to Assistant Secretary Shattuck, that when Congress led the fight on the whole area of apartheid and sanctions against South Africa, we said racism is so bad in South Africa, we need to have a special law that focuses on that, and sanctions was a viable means to that end. Yes, it elevated it, but it didn't set back any other human right. It just said we need to focus here on that. The same goes true with Jackson-Vanik, which led to the rescue of so many Soviet Jews, which again even risked a superpower confrontation in order to effectuate the release of so many refuseniks in Russia, or then the Soviet Union.

So I just want to say to you, whatever we can do as a Congress—and the leadership of Ileana Ros-Lehtinen has been extraordinary. Throughout this last 107th Congress, on every issue of human rights concern she has been there, and her staff doing a marvelous job. We are all behind you and look forward to your testimony and working with you going forward.

Ms. ROS-LEHTINEN. Thank you so much. If you wanted to continue to talk nice about me, I would give you more time, but you have run out.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

I want to begin by commending our distinguished Chair for the outstanding leadership she has shown on human rights issues as Chair of this committee during the 107th Congress and for calling today's hearing to examine the International Religious Freedom Report. The inalienable right to freedom of conscience is the most fundamental freedom we enjoy. Sadly, we know that in too many parts of the world today, brave men and women are forced to risk their stature in society, their physical health, their economic well-being, and many times even their lives, to worship God as they choose.

Four years after the passing of the International Religious Freedom Act, the mechanisms and offices created by the Act continue to prove the importance of that seminal legislation. Issues range from slavery in Sudan to the Saudi Islamic monarchy propagating religious extremism, from overly burdensome registration laws in Western Europe, to Chinese persecution of all virtually all faiths, including Christians, Tibetan Buddhists, Uighur Muslims, and the Falun Gong. I would note that a protest against the Chinese Government is concluding right now on the Capitol grounds with courageous representatives from these faiths. To effectively engage the diverse reasons behind these repressive policies, US foreign policy must be up to the task. The sophisticated nature of the problem requires sophisticated tools to secure the desired result of religious freedom for all.

The report is compiled under the guidance of the Ambassador-at-Large for International Religious Freedom, who serves, as the IRFA legislation stated, as the "principal advisor to the President and Secretary of State." The Ambassador, with his Office of International Religious Freedom at the State Department, plays a critical role in advising the President directly about religious freedom concerns. During consideration of the legislation, the intent was for the Ambassador and his office to take the lead in following these issues, to ensure the full integration of religious freedom into the building of US foreign policy.

After the long delay between ambassadors, in which valuable time was lost in this worthy cause, I was encouraged by the appointment of John Hanford to the position of Ambassador-at-Large for International Religious Freedom. I want to extend a warm welcome to a fellow advocate, as John's service and commitment to this issue is unparalleled. During his time in the Senate, he strove valiantly to ensure all people, regardless of faith or creed, could enjoy religious freedom, and I am confident he will bring this zeal to his new post. The Ambassador has already taken the initiative, recently concluding his first trip abroad to China and Vietnam, two of the gravest offenders of religious freedom. John, as you are still in the first year on the job, I hope your travel schedule will be robust, visiting other countries that continue to abuse religious freedom.

The extensive Report on International Religious Freedom, which covers 195 countries, helps inform this Congress of where religious persecution is most severe. While governments around the globe continue to persecute religious communities with impunity, the report shines a bright light on derogations from this core human right, be they committed by friend or foe. I am disappointed by the woeful underutilization of the "Country of Particular Concern" designation. Four years after the Congress gave the State Department another arrow in its quiver, so to say, and that arrow has rarely been shot; some of the worst persecutors of religious freedom—such as Saudi Arabia, Turkmenistan and Uzbekistan—have remained off the list. The fact that Saudi Arabia is not on the CPC is inexplicable, as it is the "poster child" for religious intolerance and persecution.

Religious freedom is a fundamental part of US foreign policy. I welcome the report and look forward to the testimony of Amb. Hanford and our other distinguished panelists. Thank you.

Ms. ROS-LEHTINEN. Mr. Tancredo, who is also not part of what Ambassador Jeane Kirkpatrick called the Blame America First crowd.

Mr. TANCREDO. No. And I have lots of nice things to say about you, Madam Chairman, that I will use my time for perhaps at another time.

Madam Chairman, it is interesting to hear some of the complaints of the Ranking Member on the other side, and it oftentimes makes us introspective and think about what we have observed over the course of our time in this Congress, and especially what

we have observed when we have traveled abroad. I daresay that many countries to which I have been privileged to go and people that I have been able to meet there, time and time again you see in their eyes and you hear in their voices this desperate plea for help in order to pursue the most basic human freedom, and that is the freedom to worship in their own way.

It is to our great credit in the United States, frankly, that we do not see that here. There may have been a time even in our history when religious freedom was curtailed, but certainly thank God that it has not been an aspect of our national character for a long, long, long time, and—I don't know where anyone else goes in this country and what they see, but I have never seen that look in anyone's eyes here. I have never heard that in anyone's voice here, this desperate need for help in order to achieve this basic human freedom, and that is to worship as they please. To the extent that we can and that we legitimately hold ourselves up as a model, I think it is well deserved.

That does not mean that we should avoid criticism or that it is not due, it is just that I think the work of this Committee, especially Madam Chairman and also my good friend and colleague Mr. Smith, in and of itself is exemplary, frankly. I can't think of another group of people, I can't think of other individuals who have contributed more to this basic freedom around the world than Madam Chairman and Mr. Smith. I am personally—I will tell you, I am proud and always flattered to be able to sit on the same dais with you, both of you, and I think the world owes you a debt of gratitude. Thank you, Madam Chair.

Ms. ROS-LEHTINEN. Thank you, Mr. Tancredo.

Mr. Pitts.

Mr. PITTS. Thank you, Madam Chair. Thank you for holding this important hearing on the international religious freedom report. As the witnesses will share, religious freedom violations are rampant around the world. Every day I receive reports in my office detailing atrocities experienced by religious minorities at the hands of their governments and/or communities in other parts of the world. In Nepal, in Burma, Indonesia, India, Pakistan, Egypt, Vietnam, Laos, Turkmenistan, North Korea, Sudan, China, Saudi Arabia, Belarus and numerous other countries, religious freedom is under attack today. The State Department's *Annual Report on International Religious Freedom*—and I want to thank all of the personnel in the State Department for all the work that went into preparing this report in addition to the annual country reports on human rights—is an important part of raising religious freedom concerns so that light shines on the dark deeds committed against these peaceful religious believers.

I would like to take the opportunity today to applaud the courageous men and women of the human rights community around the world and their work to fight against injustice and for the protection of fundamental human rights, such as religious freedom for the people of their nations.

Earlier this summer I met with a delegation composed of an academic, a Catholic priest, and a Hindu human rights activist from India. They visited in our office and shared horrifying reports of the attacks on the Dalit, Christian and Muslim communities by

Hindu extremists. And the graphic photographs of the burned and mutilated bodies of women and children in Gujarat were deeply disturbing. Our government must strongly condemn these actions and urge the Indian Government to ensure that basic rights are protected for all people in India.

As news reports have detailed, extremist groups in Pakistan have attacked Christians while they worship in a church or serve in their community and nonprofit organizations. Human rights organizations who work for Christians or women have received numerous death threats, especially in recent months, for their advocacy for religious and women's rights there. Christians have been particularly singled out for attacks by extremist groups, and it is vital that the Pakistani Government protect them. The government has attempted to protect the minorities, but more can be done, particularly through the elimination of the blasphemy law.

In Burma, I have been deeply disturbed by the Burmese military regime's persecution of Christians, Buddhists and Muslims. The Karen and Shan ethnic groups have faced particularly strong repression. The Christian Karen have faced treatment by the military and forced labor, pressuring thousands of villagers to flee from their homes each month. Many of the villagers do not escape to neighboring Thailand and are caught in the jungles by the government, where they endure torture, rape and death. It is critical that our government maintain strong pressure on Burma's military dictatorship through public and private means so that the people of Burma can live in peace, and so that the burgeoning drug trade of the Burmese military is stopped.

As highlighted this summer during hearings held by the International Relations Committee and other Committees, the Saudi Government is responsible for innumerable human rights abuses of its citizens, including religious freedom violations. Any person who practices a religion other than Sunni Islam is persecuted by the state. Shia Muslims, Christians and any other religious believers are severely punished for the practice of their religious beliefs. The Saudi Institute documented a recent case of a young Shia man who security officials arrested and then imprisoned from 1996 to 1999 for possession of a tape recording machine. During that time, Kamil Abbas Al-Ahmed was hung from his wrists, tortured in other ways, and imprisoned incommunicado. In September of last year, this young man was rearrested. In September of this year, reports detailed that Saudi officials said the man was being held because of his brother's actions at the Saudi Institute here in the U.S., which reports on human rights abuses in Saudi Arabia.

This is only one of many cases of horrifying abuse in that Nation. Only a few years ago, two Christians were killed by beheading at the hands of government officials. Madam Chair, I have only shared about four nations today, but countless people face terrible persecution for their religious beliefs. As individuals who live in a free Nation, we have a responsibility to assist those who cry out to us for help. I look forward to hearing from today's distinguished witnesses.

I would like to extend a special welcome to Mr. Udit Raj and Mr. Sam Paul from India. Madam Chair, I would like to request that

all of the testimony and appendices that they provide be made part of the record.

Ms. ROS-LEHTINEN. Without objection. Thank you.

Thank you to all the Members. Before we introduce our first panelist, I would like to advise all of our panelists that because of the ongoing debate on the Iraq resolution that is taking place on the Floor as we speak, and to ensure that we are able to hear from all of our panelists, our witnesses today, we will be adhering strictly to the 5-minute rule for both testimony and questions. That is not directed at you. Thank you, John.

It is with great pleasure that I introduce our first panelist today. Mr. John V. Hanford, Ambassador-at-Large for International Religious Freedom. Mr. Hanford previously served for 14 years as a Congressional Fellow in International Religious Freedom in the office of Senator Richard Lugar, and furthermore, he was heavily involved in the writing of the International Religious Freedom Act. As a friend of religious freedom, Mr. Hanford is widely regarded as one of the country's leading experts on issues of international religious liberty and religious persecution.

Thank you, John, for being with us. Ambassador.

**STATEMENT OF JOHN HANFORD, AMBASSADOR-AT-LARGE  
FOR INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE**

Ambassador HANFORD. Madam Chair and Members of the Subcommittee, let me begin by thanking you for holding this hearing on the 2002 *Annual Report on International Religious Freedom*. Members of this Committee have led the way in shining light on persecution endured by religious believers around the world, and this hearing serves an important role in that process.

I want to express to each of you here today my appreciation and gratitude for your commitment to religious freedom. As I begin my tenure, I look forward to working very closely with you, and I thank you for your invitation to appear today. Prior to serving here as mentioned, I worked for 14 years up here on the Hill. It is good to be back in my haunt and to focus together on an issue that is so vital to the well-being and freedom of every human being, and indeed to the well-being and freedom of our Nation and the world.

I have a written statement that I am going to summarize, and now I understand I need to summarize it in 5 minutes. I ask that my complete written statement be made part of the hearing record.

Ms. ROS-LEHTINEN. Without objection, for all witnesses.

Ambassador HANFORD. I am pleased and honored to present you today with the fourth *Annual Report on International Religious Freedom*. This report reflects in tangible form our compassion as a Nation for religious believers abroad who suffer for their faith and our determination as a people to confront and alleviate that suffering. By me right here is a paper copy of this in case any of you would like to take it home for a little bedside reading. This is what it looks like, not on CD-ROM, and just to show you how high-tech we have become at the State Department, we now have a credit-card-sized CD-ROM if you would like to carry this in your wallet.

Ms. ROS-LEHTINEN. Oh, come on. You were fumbling with the microphone. Don't try to impress us with high technology.



Ambassador HANFORD. I am going to skip over explaining the report. Many of you are familiar with that. Let me turn to the substance of the problem and sketch a brief overview of the status of religious freedom around the world.

The International Religious Freedom Act noted that more than half of the world's population live under regimes that severely restrict or prohibit the freedom of their citizens to study, believe, observe and freely practice the religious faith of their choice. When I began working on religious freedom issues in 1987, the Soviet Union and the Eastern Bloc were among the worst persecutors. Now some of those nations have splintered into others, and new governments have emerged, and in some cases there are greater freedoms; in other cases the ugly legacy of years of repression, sometimes carried out by the very same individuals who suffered under the old regime, continues on.

In summing up the report, first we find religious oppression in nations dominated by totalitarian or authoritarian governments, such as North Korea and Burma. Why do such nations perceive religion as a threat to their authority? In part because religious believers swear allegiance to a higher authority, and because these courageous men and women know that the right of religious freedom cannot be given or abrogated by human government. We find in this category the rulers of Communist regimes including China, Vietnam, Cuba and Laos, who all persist in their efforts to control and manipulate religious groups.

Secondly, when a particular religion is strongly associated with the identity of a national group, minority religions can be perceived as threats. This phenomenon has led to tragic sectarian violence in India where in March the death of some 60 Hindu pilgrims in a train fire while the train was under attack from Muslims sparked massive Hindu rioting that left upwards of 1,000 Muslims dead. In other countries the association of nationhood and religion has led to severe legal codes like the blasphemy laws in Pakistan, which in turn have led to mob attacks against minorities such as Ahmadis. There have also been a series of horrific and cowardly attacks on Christians. Just a few weeks ago I was working with some of you to ensure the relocation, freedom and safety of a young man, Ayub Masih, who endured 6 years of prison and repeated threats against his life because of false accusations based on this law. I might add that when my wife was a House staffer, his case was the first case she ever worked on 6 years ago.

Third, some governments use religion more directly to establish and maintain their legitimacy, which can mean that minority religions are treated as threats. This is true of some Muslim governments such as Saudi Arabia, Iran and Sudan. In these nations, freedom of religion usually means freedom only to practice or turn to the majority religion. The conversion to a minority religion has in some instances been met even by death.

Fourth, governments may use genuine security threats to justify tarring an entire religious group with the brush of subversion. Uzbekistan and Turkmenistan, for example, have dealt with security threats, indiscriminately detaining and abusing many innocent people who happen to engage in religious observances.

Fifth, a similar dynamic has emerged which must be described as discrimination rather than persecution, but which is rooted in the same impulse of disproportionate response to a just concern. In France, sweeping anti-cult legislation passed last year. To the credit of the French legal system, thus far those who have sought to use that law against religious practitioners have met with failure. Yet the law itself remains problematic not only because of the threat that the language carries in France, but because it is even now being considered for emulation by countries that lack France's commitment to rule of law and human rights. I might add when I travel to China and Vietnam, this is coming up.

Finally, religion-based terrorism by nongovernmental actors, though often with ties to rogue regimes, is emerging as a major cause of religious persecution. Terrorist organizations such as al Qaeda are growing in number. These groups define their goals in religious terms and view human beings as mere obstacles to violent instatement of tyranny under the guise of religion.

Let me just summarize now by saying, in conclusion, once again how profoundly privileged I feel to be here today to represent before you the needs and the suffering of so many noble men and women around the world. I also feel privileged in this work because I know I stand with so many people of goodwill. They are Members of Congress, such as many in this room, who have worked long and hard to make this issue a priority in our foreign policy. They are Foreign Service officers who meet in the dark of night to help believers in harm's way. They are members of my staff at the Office of International Religious Freedom, men and women who are devoting their professional lives to the cause of religious freedom for all. And they are, of course, our President and Secretary of State, who care deeply about religious freedom.

But at the end of the day, all of us who care about this issue are privileged because we stand with the persecuted. We stand with the millions of men and women around the world who yearn simply for the freedom to practice their religious beliefs without fear of government coercion or reprisal. This report is for them. I believe it gives them hope. Indeed, we hear from them sometimes, and they tell us it gives them hope. At the very least, it communicates to the persecuted and to their tormentors that we will not forget them. And that we will never abandon their cause.

Thank you, Madam Chair and Members of the Subcommittee, for being here today and for your commitment to religious freedom. I would be pleased to answer any questions.

Ms. ROS-LEHTINEN. Thank you, Ambassador, for an excellent statement.

[The prepared statement of Ambassador Hanford follows:]

PREPARED STATEMENT OF JOHN HANFORD, AMBASSADOR-AT-LARGE FOR  
INTERNATIONAL RELIGIOUS FREEDOM, U.S. DEPARTMENT OF STATE

Madam Chair and Members of the Subcommittee, let me begin by thanking you for holding this hearing on the 2002 *Annual Report on International Religious Freedom*. Members of this Committee have led the way in shining light on the persecution endured by religious believers around the world, and this hearing serves an important role in that process. I want to express to each of you here today my appreciation and gratitude for your commitment to religious freedom.

It is my privilege and honor to serve our President, the American people, and courageous men and women of faith around the world, as Ambassador at Large for

International Religious Freedom. As I begin my tenure, I look forward to working very closely with you, and I thank you for your invitation to appear before you today. Prior to serving in my present capacity, I worked on these issues for 14 years in the office of Senator Richard Lugar. It is wonderful to be back on the Hill and to focus together on this issue that is so vital to the well being and freedom of every human being and, indeed, to the well-being and freedom of our nation and the world.

I am pleased and honored to present you with the fourth *Annual Report on International Religious Freedom*. This Report reflects, in tangible form, our compassion as a nation for religious believers abroad who suffer for their faith and our determination as a people to confront and alleviate that suffering. Before I focus my remarks on worldwide religious persecution and what we can do to address it, I would like say a word about how the Report is produced, and to thank those who have invested tremendous time and effort into its compilation.

#### THE ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM

The International Religious Freedom Act created both the office which I lead and the requirement to report annually on religious freedom worldwide and our efforts to promote that freedom. Accordingly, my office actively monitors the status of the issue worldwide on a daily basis. This work includes seeking out government officials, religious leaders, human rights groups and NGOs, and believers from many religious traditions, both here and abroad. We draw on a great volume of press and NGO reporting, as well as on the work of the US Commission on International Religious Freedom. We rely significantly on the fact gathering, analysis, and investigation of abuses by our U.S. Embassies around the world. My staff has traveled to many of the countries in which religious liberty is at risk. I myself have recently returned from China and Vietnam.

The IRF report is the product of information from all these sources. It is drafted in the first instance by our Embassies and Consulates around the world. Their drafts are then compiled and edited, in close consultation with my staff and the country desks, by the Office of Country Reports and Asylum Affairs in the Bureau of Democracy, Human Rights and Labor. All of these individuals deserve great commendation for their work, which collectively exposes the dark recesses of religious persecution abroad.

This year's report covers 192 countries during the period from July 1, 2001 through June 30, 2002. The Introduction sets forth the vital importance of religious freedom not only to Americans but also for the world. The Executive Summary highlights categories, causes and trends in religious freedom issues and summarizes U.S. efforts to deal with abuses. In accordance with the IRF Act, it also identifies countries in which there have been significant improvements in religious freedom. It is a sobering commentary that the only country meeting the standard of significant improvement this year is Afghanistan, and that is due only to the expulsion of the Taliban. The Taliban was identified last October by Secretary Powell as a particularly severe violator of religious freedom.

While the situation in Afghanistan has dramatically improved, especially for Shi'a, Hindus and Sikhs, the issue of religious freedom in the new Afghanistan is still being worked out, like other elements of the Afghan constitution. As Secretary Powell said recently when addressing the Afghan Reconstruction Steering Group, "we must provide resources and expertise to help the new human rights, judicial and constitutional commissions lay the groundwork for a vibrant civil society, the rule of law, accountability and transparent government."

The Report on International Religious Freedom concludes by providing as a resource the relevant international instruments, and by providing an overview of US religious freedom policy relating to such areas as immigration and refugees and training of Foreign Service Officers.

#### THE STATUS OF RELIGIOUS FREEDOM

Now I would like to turn to the substance of the problem itself, and to sketch a brief overview of the status of religious freedom around the world. The International Religious Freedom Act, passed in 1998, noted that "more than one-half the world's population lives under regimes that severely restrict or prohibit the freedom of their citizens to study, believe, observe, and freely practice the religious faith of their choice."

When I began my work on religious freedom issues in 1987, the Soviet Union and the Eastern Bloc were among the worst persecutors. Now, as some of those nations have splintered into others and new governments have emerged, there are both great new freedoms and the ugly legacy of years of repression, sometimes carried

on by the very individuals who suffered under the old regimes. As I look over the world in 2002, in some countries repression has waned, but in others it has only waxed stronger. I am sad to observe that some of the faces may have changed, but the scourge of religious persecution has persisted.

Let me touch briefly on the major causes as we see them today. These causes are loosely grouped, and may overlap in many nations, but they are useful categories in understanding the problem. In essence, the contexts are many, but religious persecution usually finds its genesis where the quest for power sweeps aside as irrelevant the precious worth and dignity of each individual human being.

First, we find religious oppression in nations dominated by totalitarian or authoritarian governments such as North Korea and Burma. Why do such nations perceive religion as a threat to their authority? In part because religious believers swear allegiance to a higher authority, and because these courageous men and women know that the right of religious freedom cannot be given or abrogated by human government. Rather than reaping the benefits to their societies of peaceful religious practice by their citizens, repressive governments choose to treat religion as a threat to their control, and persecution is the inevitable result.

We find in this category the rulers of Communist regimes, including China, Vietnam, Cuba and Laos, who all persist in their efforts to control and manipulate religious groups. Vietnam, for example, keeps many religious figures under detention or house arrest, or in prison. China continues to imprison many Tibetan Buddhist monks and nuns, underground Catholic bishops and priests, and Protestant "house church" pastors.

Secondly, when a particular religion is strongly associated with the identity of a national group, minority religions can be perceived as threats. This phenomenon has led to tragic sectarian violence in India, where in March the death of some sixty Hindu pilgrims in a train fire while the train was under attack from Muslims sparked massive Hindu rioting that left upwards of 1,000 Muslims dead. In other countries, the association of nationhood and religion has led to severe legal codes like the blasphemy laws in Pakistan, which in turn have led to mob attacks against minorities such as the Ahmadis. There have also been a series of horrific and cowardly attacks on Christians. Just a few weeks ago, I was working with some of you to ensure the relocation, freedom and safety of a young man, Ayub Masih, who endured 6 years of prison and repeated threats against his life because of false accusations based on this law.

In Russia, perceived threats to the religious identity of the nation have placed significant obstacles in the path of that country's attempts to achieve religious freedom. We find the same unfortunate phenomenon in many of the surrounding nations and former Soviet Republics.

Third, some governments use religion more directly to establish and maintain their legitimacy, which can mean that minority religions are treated as threats. This is true of some Muslim governments such as Saudi Arabia, Iran, and Sudan. In these nations, freedom of religion usually means freedom only to practice or turn to the majority religion. The conversion to a minority religion has in some instances been met even by death.

Fourth, governments may use genuine security threats to justify tarring an entire religious group with the brush of subversion. Uzbekistan and Turkmenistan, for instance, have dealt with security threats indiscriminately, detaining and abusing many innocent people who happen to engage in religious observances or associations similar to those of suspected terrorists.

Fifth, a similar dynamic has emerged which must be described as discrimination rather than persecution, but which is rooted in the same impulse of disproportionate response to a just concern. In the last several years, we have traced a trend across Europe, where a legitimate public concern with violent cults has led to "anti-cult" measures that are problematic and discriminatory in themselves but far more troublesome when used as a model by other, less democratic countries.

In France, sweeping "anti-cult" legislation passed last year. To the credit of the French legal system, thus far those who have sought to use that law against religious practitioners have met with failure. I have also been heartened both by the willing dialogue on this issue that I have personally encountered, and by recent statements of the French delegation to the OSCE concerning the mandate of a government commission and the list of so-called cults it promulgated. Yet the law itself remains problematic not only because of the threat the language carries in France, but because it is even now being considered for emulation by countries that lack France's commitment to rule of law and human rights. Such a model serves only too well as cover for those nations who persecute under the guise of law enforcement.

Finally, religion-based terrorism by non-governmental actors, though often with ties to rogue regimes, is emerging as a major cause of religious persecution. Terrorist organizations such as Al Qaeda are growing in number. These groups define their goals in religious terms, and view human beings as mere obstacles to violent instatement of tyranny under the guise of religion. They not only seek to destroy adherents of other religions, but have a special animus towards co-religionists who reject their methods or goals.

#### COUNTERING RELIGIOUS PERSECUTION

These are some of the ugly realities of religious persecution around the world. We must ask ourselves, then, not *whether* we are to address them, but *how*.

As principal advisor to the President and the Secretary on this issue, my job is to assist in developing and implementing U.S. policy to counter religious persecution. As you know, the President is deeply committed to the cause of religious liberty. Thanks in significant part to the International Religious Freedom Act, we have in place numerous mechanisms to address the tragedies of religious repression.

Among these, of course, is the first step of monitoring the problems and establishing the facts, which is what brings us all together today. We have sought, through this Report, to establish a baseline of factual information about the status of persecution in countries and regions across the world. One of the purposes, you may recall, of creating the Report, was to ensure that across the world, US Embassies are addressing, researching, and raising religious freedom violations. The requirement to compile this Report has led our Embassies to extend their expertise on this issue and their networks of contacts with religious and community leaders and NGO's far beyond what they were even a few years ago. The fortunate result is that all over the world, the U.S. is now raising this issue with other governments, and, in our own government, facts and decisions about religious freedom issues are being considered at the highest levels.

The Report is an essential first step, but it is not an end in itself. It is to serve both as a catalyst and a reflection of what we must do. Short-term, we must have rapid and effective responses to the crises that arise. Longer-term, these cases serve to press the underlying policy issues that give rise to the problems in the first place. It is my desire to work very closely with Congress and with NGO's to ensure that we do all we can together to address and ultimately prevent the tragedies that befall men and women of faith at the hands of repressive governments.

Among the long-term measures encouraged by IRFA is the establishment of programs developing legal protections of religious freedoms, scholarly exchanges and various means of promoting religious freedom and tolerance. Where religious freedom flourishes, democracy thrives as well. And where democracy grows, there is peace and prosperity. Our nation's founders believed that religious freedom was a cornerstone of democracy. In our post-September 11 world, this understanding has never been more vital to our security. Earlier this year, on Religious Freedom Day, President Bush reaffirmed this:

Religious freedom is a cornerstone of our Republic, a core principle of our Constitution and a fundamental human right. . . . Today, as America wages a war against terrorism, our resolve to defend religious freedom remains as strong as ever.

In short, where religious tolerance and freedom are present, violence in the name of religion will not find a footing. In the words of John Foster Dulles,

United States foreign policy rests on two propositions: We want peace, liberty and well being for ourselves; and we cannot be sure of peace, liberty or well being unless other nations also have them.

It is thus in our national interest to persuade other governments to join us in promoting and protecting religious freedom, as this right is so interdependent with other basic human rights and democratic convictions. This work of persuasion is my task and privilege, and it is two-fold. First, it includes direct discussions and negotiations with foreign governments who violate religious freedom. As I mentioned, I recently returned from China and Vietnam, where I had the opportunity to cover and press a host of concerns, and I will continue to do this in nations around the world where religious freedom is threatened. My visit to China was received with a level of attention which I directly attribute to the message of strong support for religious freedom that the President conveyed to the Chinese people and leadership during his visits to China last fall and early this year.

Secondly, the work of persuasion includes helping other like-minded nations to understand the critical importance of promoting religious freedom. This part of my

task includes both bilateral contacts and the active use of multilateral fora such as the OSCE and the UN Commission on Human Rights. It is in the interests of persecuted religious believers to have as many nations as possible raising their plight, and I have already begun discussions with counterparts in other nations, in the hope of furthering that goal.

As you are aware, yet another tool established by IRFA is the required designation of "countries of particular concern." These countries are those which meet the threshold of engaging in or tolerating "systematic, ongoing, egregious violations of religious freedom, including violations such as torture or cruel, inhuman or degrading treatment or punishment; prolonged detention without charges; causing the disappearance of persons by the abduction or clandestine detention of those persons; or other flagrant denial of the life, liberty or the security of persons." These designations were established to ensure that the worst abusers of religious freedom would receive the scrutiny and action warranted by their abuses. Sadly, as in years past, there continue to be a number of contenders for this title.

While I can assure you the designation process is well underway for this year, I also want to emphasize that we are constantly reviewing the status of international religious freedom with regard to the CPC process, which is not meant to be restricted to an annual event. The CPC designations carry significant weight, and they feature prominently in the discussions I have with other governments. If and when a designation is warranted, IRFA grants authority to make it at any time.

#### CONCLUSION

In conclusion, let me say once again how profoundly privileged I feel to be here today to represent before you the needs and the suffering of so many noble men and women around the world.

I also feel privileged in this work because I know I stand with so many people of good will. They are Members of Congress, such as many in this room, who have worked long and hard to make this issue a priority in our foreign policy. They are Foreign Service Officers, who meet in the dark of night to help believers in harm's way. They are members of my staff at the Office of International Religious Freedom—men and women who are devoting their professional lives to the cause of religious freedom for all. And they are, of course, our President and Secretary of State, who care deeply about religious liberty.

But, at the end of the day, all of us who care about this issue are privileged because we stand with the persecuted. We stand with the millions of men and women around the world who yearn simply for the freedom to practice their religious beliefs without fear of government coercion or reprisal.

This report is for them. I believe it gives them hope. Indeed, we hear from them sometimes, and they tell us it gives them hope. At the very least, it communicates to the persecuted, and to their tormentors, that we will not forget them, and that we will never abandon their cause.

Thank you, Madam Chair and members of the Subcommittee for being here today, and for your commitment to religious freedom.

Ms. ROS-LEHTINEN. I would like to recognize Mr. Smith to begin the questions.

Mr. SMITH. Thank you very much, Madam Chair.

Mr. Ambassador, again, thank you for your great work. I look forward to working with you going forward.

In her testimony which will follow, Felice Gaer, who is the Chair of the U.S. Commission on International Religious Freedom, makes the point that in China, the government has intensified its campaign of repression against religious believers in the past year and makes a series of recommendations about benchmarks, the importance of the upcoming Jiang Zemin trip that there ought to be some very serious recommendations, like the release of prisoners, an end to the torture.

The State Department's own report pointed out last year that 200 Falun Gong, known people, were tortured to death by Chinese police. That is part of a systematic repression of all people of faith, but there seems to be extraordinary vehemence vented at the

Falun Gong, especially with this torturing to death that we have seen.

If you could, your recommendations about that? Should there be benchmarks before Jiang Zemin gets here?

And on Uzbekistan we note in the report that there seems to be—I wouldn't say a softening, but, as I think Ms. Gaer put it, a muting of some of the concerns. The Helsinki Commission of which I chair, we have had a number of hearings on the Caucasus and on many countries that very often, until the Afghanistan war, most people couldn't even pronounce, knew they existed, or the ongoing violations of human rights. The estimates of number of Muslims jailed in Uzbek prisons because of their religious affiliation now hovers between 6,500 and 7,000. These are people who just simply took part in religious rites.

I know that the CPC countries have not been named yet, but our hope is that there are other countries that will be added to that list such as, Uzbekistan, Turkmenistan, and Vietnam. There are a number of deserving countries. Concerning North Korea, in the past I, and others noted, that it was not on the list. I believe now everyone gets it, that just because we don't have access, we certainly can, through anecdotal information and by inference, know what is really going on, at least to some extent, in that closed country. Certainly they ought to be singled out as a CPC country as well. Please respond to that.

Ambassador HANFORD. Yes, sir. I have just returned a few weeks ago from spending a week in China. First I think a good sign was that they were willing to meet with me. Tom Farr, my office director, was refused meetings the last time he was there, and my predecessor Ambassador Seiple was refused a trip there a couple of years ago.

I haven't had a chance to debrief with Felice Gaer, but—fortunately, I followed her advice without knowing it, but knowing Felice, I could have known that that would be her advice.

We have a President who has put this issue front and center, and let me tell you how much easier that makes my job when I travel to a place like China and they are already on notice, and his focus on the issue of religious freedom really was taken seriously. Jiang Zemin, I heard while I was there, took it very seriously, and it has fostered a lot of thinking, and we are still waiting to see how some of that pans out.

But a big part of my purpose, and, of course, in working with the White House on this as well as the State Department, was to look at this opportunity we have prior to Crawford, and I did indeed go with a short list of requests, of things that I felt would be particularly opportune if we could see these matters of progress done in the short run. Of course, we also worked on long-term problems.

I got positive feedback on two. One of them was my concern that for years and years, I have heard that youth are not allowed to participate in religious activities. I was assured that this is not the case. I am still trying to parse out what has changed here, but this is something we need to all be vigilant on, that they are willing to have young people in every religion be fully involved, in Sunday school classes, youth camps. And I went on to discuss this with re-

ligious leaders while I was there as well. This is one of the things that I felt they could deliver on——

Mr. SMITH. Does that include the Falun Gong? I am sorry to interrupt.

Ambassador HANFORD. I don't think it does, because, of course, the problem there is that the Falun Gong has been labeled an evil cult under the evil cult law.

Mr. SMITH. What about the underground churches who are not registered, like the Catholic Patriotic Church, which are all under government control? Anyone who is outside that line, can their youth as well participate?

Ambassador HANFORD. The practices are inconsistent from province to province. I think—my guess would be, Congressman, that they wouldn't press that so much if they were to break into a house church and find youth there. Their point wouldn't be these youths shouldn't be there. Their point would be this meeting shouldn't be occurring.

That was one of the other points on my list. We need to deal with this registration law issue, and I tried to point out to them how counterproductive this is for China. When the South China Church gets broken up, and the pastor and parishioners are hauled in, and parishioners are brutally tortured into falsely accusing the pastor of having raped them, this does China no good. The leaders I met with claimed to know nothing about this.

We will be following up to make sure that they do work on this, but these issues of brutality were at the top of my list. The registration laws were on our short list. That would be a hard deliverable in the short run, but it is so important. It is the crux of why all these problems happen.

We are urging them to begin dialogue immediately with the Vatican. That has stalled. We talked to them about a deliverable or two concerning Tibetan Buddhists. One other thing which they did agree to, and they are still considering the others, in the short run is to set up a working group that will interact with my office. As you know from your work, one of the problems in dealing with a government like this is you go to one bureau, maybe the Office of Religious Affairs, and you bring up an incident of brutality in a province, and they can always say, we're not aware of this; that is the Security Bureau. Or you go to the foreign ministry. It just happens over and over.

They are putting together a working group that will comprise several of these government bureaucracies where we can go to them in short order. We want to be able to do rapid response and have people that understand what we are about and work hand in hand with us to solve things quickly. They pledged to me even before I got on the plane to leave that they were going to do that.

Ms. ROS-LEHTINEN. Thank you, Mr. Ambassador.

Mr. Tancredo.

Mr. TANCREDO. Thank you, Madam Chairman.

Mr. Ambassador, I want to concentrate on just one or two areas of concern. In the first case, specifically India, it is always a little bit of a concern or a little bit of a dilemma, I guess I should say, in how you deal with a democratic nation as opposed to a totalitarian nation on these issues. I mean, it is easier for us to attack,



it is easier for us to sort of grab hold of a problem in China and Vietnam and a variety of other places, but sometimes I get the impression that it is something we don't want to do, and that is to say attack another democracy, criticize another democracy for what is happening in their own country.

And it does seem to a certain extent that there is a hesitancy in this report, a hesitancy to actually identify some of the more dramatic problems in India, events that have occurred there of such a horrendous nature. They are characterized generally, but there are some specific events that, it seems to me, deserve our attention.

The fact that, for instance, evidently a past member of Parliament was forcibly removed from his home, beaten, limbs severed, eventually decapitated in this same riot that we are talking about.

I understand that in Tamil Nadu that they have just passed an anti-conversion ordinance law last week. The law contains stiff punishment provisions, especially for conversions among the Dalits and marginalized women.

Do you think that the report adequately covers the dimension of the problems in India?

Mr. HANFORD. I think it does. Now, I will go back, given the attention you are drawing to this and take another look. I know our office has been focusing on this very heavily, because the signs are so troubling, and what could be precipitated by this is frightening.

Now, I have spoken with the Ambassador of India about this. Of course in the short run, we are worried about reprisals against Muslims as a result of the recent killings that occurred in a Hindu temple. I think the issue we are struggling with is, is there any role of the central government in this? And we want to see them fully energized to do whatever they can within their power to solve the problems on the state level, primarily in Gujarat.

They are assuring us that they are doing that. They did take some pretty extraordinary measures over the last few weeks which are positive signs of this. I think they have heard our message.

Mr. TANCREDO. When you say trying to determine the extent of involvement of the central government, you might also bring up to them the concern we have about their involvement with the rioting, with the actual construction of this "riot." It is an organized riot, apparently organized by the government. People showed up in buses at exactly the right time, 8 o'clock in the morning, they got off, they all had certain identifying characteristics. They were—and badges and that sort of thing. It was evidently very clearly an organized event.

And I do have a fear that the central government was involved in the organization of it. And, you know, have you brought this to their attention, our concern that that exists, number one, and then I guess my question would be, what are we going to do about it if we find these things to be clear violations?

Mr. HANFORD. The government—the apparent government complicity that we have found was on the state level, and we are very troubled by that. The leaders in the central government have responded well in terms of condemning what happened, in terms of even expressing their embarrassment, wherever they go. I think it was the Prime Minister who said, wherever I go now our nation is being embarrassed by this.

They suspended a move in the Gujarat state to have very quick elections because they feared what has happened would move that state government into even a worse position, and they are attempting to do the right sort of thing in a judiciary manner to prosecute. The problem we run into there is that the Indian judicial system is horrifically backlogged and often inefficient, and so we are frustrated by that, but we are going to keep pushing.

Mr. TANCREDO. I see the time is up. I do hope that you will stay while we have the testimony of the other panel, because some of the folks who are going to testify from India I think will present information of very dramatic nature for you to consider.

Ms. ROS-LEHTINEN. Thank you, Mr. Tancredo.

Mr. Pitts.

Mr. PITTS. Thank you, Madam Chair. We have so many questions. We are bound by 5 minutes. Can we submit some of the questions we are not able to answer to get responses?

Ms. ROS-LEHTINEN. Absolutely. Of course.

Mr. PITTS. Thank you. And Mr. Ambassador, just to follow up on India, I would like to go to some other countries as well, but what specific things did the U.S. Government ask for regarding the ordinance in Tamil Nadu against religious conversions, or what specific things did the Indian government say they would do? Are there any specifics that we asked for or any specific concerns we raised? And any specific things they pledged?

Mr. HANFORD. I am going to have to get back to you on that.

Mr. PITTS. Okay. The concern about the Freedom of Religion Act of 1967 and IRFA, has our government, our State Department raised any concerns with the government in India regarding the amendment to the Freedom of Religion Act IRFA?

Mr. HANFORD. We have and we will continue to.

Mr. PITTS. Questions have been raised about the role of certain Indian-American groups, the role they have played or continue to play in funding activities of Hindu extremist groups. Have you come across any evidence confirming ties like this, and given the reported link between these groups and violence against religious minorities in India, is this something that the U.S. Government is looking into, or should be looking into?

Mr. HANFORD. I am aware that that is a concern and an accusation. I am not aware of the present state of the investigations into that. Again, that is something that I can of course talk to counterparts, colleagues within the State Department, and try to discern and get back to you on.

Mr. PITTS. Do you have any thoughts about why the United States Government did not speak out more clearly or even forcefully about the brutal killings of Muslims in Gujarat in February of this year?

Mr. HANFORD. Well, our Ambassador and Assistant Secretary Rocca of course addressed it, expressed condolences, were of course horrified. And the—the description that Congressman Tancredo gave is one, I have seen that too. This is just one of the worst cases of brutality and violence I have ever seen in all of my years of doing this, and the materials that I have on this are almost impossible to look at they are so bad.

The expressions of concern have been happening primarily behind the scenes rather than in the public forum. That is always a judgment call. I have done that in my interactions with the Indian government on this as well.

I think as long as the signals are that the government is taking it seriously I am comfortable with that. If we find them pulling back, if we find them being complacent in a way that is leading to the potential for a repeat of this, then I think perhaps we need to become more public.

Mr. PITTS. And one thing you might consider is, if you look at a large country like India, 300 million Dalits, I think public expressions are important in sending signals to minority groups, especially those who are under severe persecution in some of these countries where it is reported, and I think that would be a wonderful message for them to hear from the United States Government.

In that regard, Saudi Arabia, you know, it has been recommended for the third straight year by the International Religious Freedom Commission to be designated as a country of particular concern, and the State Department has repeatedly asserted that religious freedom does not exist, and it has documented numerous egregious violations of religious freedom over the last few years, and yet it hasn't yet designated Saudi Arabia as a country for particular concern.

Are we making privately—are we raising these issues privately? At what levels? Or is this occurring?

Mr. HANFORD. Well, we certainly are. We are raising them privately. This has been done even in the last few days. I think you raised an excellent point. Saudi Arabia is one of the most oppressive countries on religious freedom in the world. There is no question about it. I have had to work on cases while I was a Hill staffer. I had to cancel my Christmas vacation 1 year because a man was about to be hung to death on Christmas Day. In order to get him deported rather than hung meant staying here.

In another case I had to meet with one of the leaders of the Saudi government when he was here to dedicate the 60th mosque in California while Christians were languishing in jail in his country, and of course there is not a single church or temple or anything else of any other religion.

And fortunately at least we got those prisoners out, because that mosque was going to be dedicated in the King's name. That should be a little embarrassing when they are here taking advantage of the freedom that we have to open so many mosques, and yet no one has that freedom in that country.

And to make a little side comment about some of the things that were being said earlier, it is interesting to note that there are many Muslims who come to America and say that they have greater freedom in America to practice their faith than they ever had in their Muslim country.

So Saudi Arabia is a country that we are taking very, very seriously, and trying to figure out what is the appropriate thing to do right now.

Mr. PITTS. I wish I had time to ask you about Egypt. I don't have any time. But thank you for the work you did in Pakistan.

Mr. HANFORD. Thank you for all of your work and your staff's work. I know this has been a long labor of love for you guys.

I did want to say quickly to Congressman Smith on Uzbekistan, I have met recently with the Foreign Minister and pressed even the torture issue with that. It is gut wrenching and it has got to stop.

Ms. ROS-LEHTINEN. Thank you. Thank you, Mr. Pitts.

Ambassador, following up on what Joe was talking about, the designation of CPC countries, the U.S. Commission on International Religious Freedom has recommended that Burma, North Korea, India, Iran, Iraq, Laos, Pakistan, China, Saudi Arabia, Sudan, Turkmenistan and Vietnam as countries of particular concern.

Could you elaborate, given the egregious violations committed by these governments on which you expect to designate as CPC countries, and would your recommendation be that all be so designated? What considerations will be used to reach that final designation, and what should we expect to happen with—as Mr. Pitts had pointed out, that is of great concern to our Subcommittee, Saudi Arabia and Pakistan?

Mr. HANFORD. Well, the Commission is doing its job here, and doing it well. When we were writing the bill and creating the Commission, that was what we intended. And when we created the CPC designation, we intended it for this very sort of purpose. And I am pleased that the countries that have already been named have been named, because when we were negotiating the bill one wondered if any country would be named.

But indeed they have been. That was with the previous Administration. But they went on to name some. And this last year, yet another country, North Korea, was added to the list. The practice that I have come in to at the State Department is to have the report come out, and then to use the report as the factual basis for making a determination.

As you might imagine, the process in the State Department on something like this is a many-stepped process. And so typically what has happened in the past is that the Ambassador-at-Large makes the recommendations to the Secretary of State several weeks after the report comes out, based on the latest information that is in the report.

Now, we have been working on this. We have been looking over candidates. There are going to be some tough calls. We are struggling with what advances religious freedom most profitably in some of these countries.

Ms. ROS-LEHTINEN. Thank you. If I can interrupt you just to ask you a second question on the implementation of the act. Do you feel as if the International Religious Freedom Act has been implemented appropriately given that none of the countries designated as countries of particular concern have been subjected to the actions under the act? Do you believe that the spirit and the letter of the CPC designation is being implemented and will you commit to addressing the situation and ensure that these violator governments receive a strong message, followed by action, that the U.S. Government will not tolerate these terrible violations of religious freedom?

Mr. HANFORD. In the dark of night, as we were negotiating the International Religious Freedom Act, one of the things which the Administration at that time—you know, we needed to move this forward. The bill passed—it was the last vote in the Senate before Congress shut down that year, the last substitute vote. Then it was run over to the House, and in the last half an hour or something it was voted on here. Fortunately, we hung tough and came up with a good tough bill.

But one thing that needed to be allowed was for the Administration to be able to double hat or double designate existing sanctions on human rights. If you have a country like Sudan, where we are already sanctioning on human rights, and sanctioning the daylights out of them, what more can you do in some cases was the argument.

And what has happened is that over the first 3 years of implementation, indeed sanctions in accordance with the act have been put into place. They have utilized existing human rights sanctions and designated those also under the IRF Act. What this means is that if one country is being designated for torture under another U.S. Law, and they clean up their act on torture, but now that sanction is also imposed for religious freedom, that sanction isn't going to be removed. They are going to remain under that sanction until they change on religious freedom.

Now, the point has been made by the Commission and others, wouldn't it be good to come up with some distinct sanctions or distinct actions prompted only by the religious freedom actions or some more creative options. And the legislation gives us a number of options, including binding agreements, commensurate action. I think that is a good suggestion.

Ms. ROS-LEHTINEN. Thank you. And we will now have another round. We will try to keep it to 5 minutes. Mr. Smith.

Mr. SMITH. Thank you. I would hope that we would use sanctions, in addition to, rather than looking at double hatting. When we wrote the law, especially on this side of the Capitol, our hope was that more remedies and penalties would be available. I think the number was 14 in all. And hopefully they will be used to the fullest extent. There was a serious concern that many of us had with the incoming Administration that your job would have been double hatted with the Assistant Secretary for DRL, which all of us vigorously opposed when we heard that rumor. Maybe it was just a rumor, but I think it was beyond that. Certainly there are other ways of trying to compel a better record on the part of these countries.

So please use all of the tools, and recommend that to your colleagues at the State Department and the President.

Very quickly, you briefly mentioned Uzbekistan. I too will submit a number of written questions, because there are so many countries, and I hope the press doesn't take from this that when certain countries aren't mentioned that it indicates a lack of interest and concern. This could be a day long or 2 day long hearing because we have many, many concerns, all of us here.

I recently chaired a Helsinki Commission hearing on Georgia. My good friend Mr. Pitts was there. We raised a number of questions about the mob attacks instituted by defrocked priests, mostly

against Jehovah's Witnesses. Right after our hearing there were three more mob attacks. There was a video, very telling in its depiction, of people bleeding and getting beaten in the courts where people who have perpetrated crimes were supposedly going to be brought to justice. Please touch on that, if you would.

Mr. Tancredo and I met with Madam Picard in France and talked about her anti-cult law which, you know, uses the pretext of those who commit violence. They often mention the people who released the Sarin gas in Tokyo as an example of the cult. Nobody has any countenance of that kind of organization.

But then they group or cluster into that group, very legitimate expressions of faith, call them a cult, and thereby subject them to penalties. In reading your testimony, you indicate that there seems to be some pause. The law is still on the books. It is already being cited by Chinese and others as a model type of piece of legislation.

France did a grave disservice to human rights in general, religious freedom, in particular, when Madam Picard and her cohorts in the National Assembly passed that law. In our meeting, Tom will back me up on this, I was appalled by the anti-religious attitude expressed by that parliamentarian.

The hostility, after the niceties were done away with, after 10 or 15 minutes, came through very, very clear, and I was appalled at the lack of sensitivity to people of faith.

And I have other questions about Burma. Perhaps you might want to get to that as well. Burma has gone from bad to worse. Mr. Pitts mentioned the Karen and others who are being hurt so severely. What can be done there as well?

I have other questions. Vietnam, Laos, but I do hope that you will respond in writing to those as well.

Mr. HANFORD. Sure. Do you want me to respond? I just got back from Vietnam, so we may not have time to talk about that now, but I would be anxious to talk to you about that.

On Georgia, we—one of our staffers has been there this year. That is how seriously we are taking that. And we have one of the staff with our office who left for Burma yesterday and is going to be there about a week to really try to size up the situation there.

I don't suspect that they will be removed from the CPC list this year.

Mr. SMITH. Just on Georgia, we do have a significant aid package there. Perhaps the other parts of our State Department and on the military side could look into using that as leverage.

Mr. HANFORD. Right, indeed. The encouragement that we get from the government of Georgia is that President Shevardnadze and the Minister of Justice have publicly condemned the violence of this defrocked Father Basil who keeps fomenting these things. But we are not seeing the sort of action that we need.

And we are also troubled that there is a new law in the offing there that could perhaps make matters worse. We have been urging the government to enforce the laws it already has against violence, rather than creating a new law which will wind up restricting religious expression perhaps even worse.

We have, Congressman Smith, through State Department, Congress, of course, and those at our Embassy, we have told them that this could affect future aid to Georgia. So that message is getting

across. And, of course, there was a warning at the recent Helsinki Commission hearing about this as well.

Ms. ROS-LEHTINEN. Thank you, Mr. Smith.

Mr. Tancredo.

Mr. TANCREDO. Thank you, Madam Chairman.

Mr. Ambassador, are you familiar with the Sudan Peace Act which just passed the House last—the day before yesterday I guess?

Mr. HANFORD. I am not familiar with the details of it. In having to roll out our report, I have only—I have heard that has happened. I apologize that I have not sat down with a copy.

Mr. TANCREDO. That is all right. I wondered to what extent you—now it will be more difficult, but if you could possibly just give us a guess as to what you think that the situation is like. First of all, tell me this, are you going to redesignate Sudan?

Mr. HANFORD. I don't see any way in the world we cannot justify not redesignating Sudan. I can't say for sure, but I think that is a pretty safe bet.

Mr. TANCREDO. Okay. Well, perhaps what we will do in our written request to you is ask you to review the Sudan Peace Act and give us your impression of how it can be used and implemented to achieve two goals, peace being one and, secondly, religious freedom in Sudan being the other.

My colleague, if Mr. Smith wants my time.

Mr. HANFORD. I wanted to mention one other thing in Sudan. We have had to put off our travel because of our report. We have been poring over this and getting ready, and getting it out. So suddenly at the end of the fiscal year, my staff is doing travel that they had planned to do earlier. We have someone leaving for Sudan in about a week, and he will be there for about a week. That is in preparation of my going and trying to get a little closer lay of the land there myself.

Ms. ROS-LEHTINEN. Mr. Smith, Mr. Tancredo will give you his remaining time.

Mr. SMITH. Thank you. Let me just ask you on Russia then. We have seen a tightening by authorities on religious visas, and, as a matter of fact, I have interceded on behalf of at least one bishop and one other cleric who have been denied visas when they left. In one case the bishop left the country, wanted to get back in and couldn't. He is a Polish bishop who has an episcopate in the Siberian section. There seems to be a hardening of attitudes by the Russian government as well.

I wonder if you would speak to that. What can be done to try to mitigate that hardening of attitudes?

And on Laos, we know that a number of Christians were recently released, I think it was 24 or some number like that. There are still some others incarcerated. If you could touch on that.

Finally, and I am sure you will respond to this, what do we need to do to make this act better? Are there some holes that you have discovered from your brief time there? Certainly, considering your involvement goes back to the drafting of the legislation itself, your insight would be invaluable for the record.

But I think going into next year, the 108th Congress, we need to do a very thorough review on how we can strengthen this legis-

lation, as I can assure you that none of us will weaken any aspect of it but please speak to Russia and Laos.

Mr. HANFORD. Well, Mr. Smith, you and I go way back in working on Russia. In 1993, out of Senator Lugar's office we led a bicameral effort to stop a bad law. And Yeltsin courageously vetoed that law twice. In 1997 we did the same thing again. We presented him with a similar letter with just loads of Senators and Congressmen on it together, 160, 170. He vetoed it once. He didn't veto it the second time around.

So now we are stuck with the consequences. Yes, we are very concerned and have pressed on this issue of the seven as it turns out Catholic clergy, including a bishop, as well as a number of Protestants who have recently been denied.

The troubling thing here is that while a number of the problems that have occurred since the passage of the law in 1997 could be blamed on local officials, how do you excuse custom agents and call them local officials? They aren't. We are trying to get the message across to the central government this is serious, and it points the finger at them.

Now, President Putin, to his credit, is aware of this concern and has been sending very good signals over the last couple of years that he is trying to resolve the problems. And denominations are getting liquidated that shouldn't. He is trying to stop bad laws in states, provinces, so we are encouraged by that.

In Laos, I want to give credit to my predecessor, Bob Seiple. He put a lot of effort and prayer into Laos. He was responsible for the bringing over of a group of government leaders just about 2 months ago. I met with them at length. I think these men and women were moved by what they saw in the way of religious freedom here, and the intentions of our government in realizing that we just care because this is a basic human right. This is nothing personal against Laos. As soon as those men got back, people were released from jail. But the job is not finished.

In terms of the International Religious Freedom Act, I think it is going to be better to ask me about a year from now. I am in the unusual position, which many U.S. Citizens would wish for all of us that work in Congress, having been involved in creating a law, but now I have to implement it. Citizens wish that all of us would have to.

But it gives me the opportunity now to see how it works, and I have only been on the job a few months. Let's keep talking. I am sure that I am going to find things that could be improved.

Mr. SMITH. Thank you.

Ms. ROS-LEHTINEN. Thank you.

Mr. PITTS.

Mr. PITTS. Thank you, Madam Chair. And that delegation of Lao-tian officials, Ambassador Seiple brought them to my district, and we took them to an Amish farm and showed them how Amish worship in their houses. They were quite impressed with the way the minority groups in our country worship.

Go back. To follow up on India and Gujarat, we are in the midst of a war on terrorism, in which many people in other countries say that the U.S. is fighting Islam and Muslims. Now, we know that is not true. But it seems logical, therefore, that our government



would publicly condemn the killing of innocent Muslims, innocent men, women and children.

And I am wondering, do you think it is too late for the U.S. Government to do something in a public way, particularly at the highest level, to condemn the killing of Muslims in Gujarat?

Mr. HANFORD. Mr. Pitts, I really share your concern about this. And in my work, we are fighting for religious freedom from Muslims all over the world. You mentioned Uzbekistan. When I hear stories of the horrible torture occurring in those jails and then men's bodies turn up with burns all over them and the government saying, well, they got into a coffee fight, well, this isn't a McDonald's where there is scorching coffee. They don't give scorching coffee to prisoners. The problem is they were in solitary confinement. So how did they get into a coffee fight?

But we are weighing in on behalf of the Muslims there. And Afghanistan there, of course we have helped a lot there. The weaker Muslims, Iraq, Pakistan, Saudi Arabia, Sudan, Turkey, Western Europe, and a number of places. This message needs to get out. And of course we put American lives on the line in places like Somalia with no interest for our country other than to save the lives of human beings who happen to be Muslims, who are about to starve to death, or the Kosovar Albanians.

I don't understand why this is not understood and appreciated in the Muslim world. So I share your concern. I think this is something that we need to think about very seriously.

Mr. PITTS. In Egypt, we know what has happened in Al Qush, and maybe you have information about Mr. Ibrahim, what our U.S. Government is doing to help for his release for a 7-year prison term for criticizing, among other things, the Egyptian's government's treatment of Christians.

Has President Bush raised this issue with President Mubarak, or what is our U.S. Government doing in regards to promoting religious freedom in Egypt there? I have talked to President Mubarak numerous times about this. They are sort of in a state of denial. I am wondering what we can do and what we are doing?

Mr. HANFORD. I remember a couple of years coming out of Blair House having just met with President Mubarak, and you were coming in to meet with him. The purpose of that was the Al Qush incident. And we heard then that the persons who had been tortured had self-inflicted the wounds with coins on their bodies.

I am searching the recesses of my memory right now in terms of what President Bush has done on this, and I seem to recall something, but I need to get back to you on this. I will say that I know, having worked with his father on this, as well as President Clinton on this, that they both personally met with President Mubarak when people have been tortured in a prison for their faith, raised cases, and brought about their freedom. So there is a precedent. And I must say too, it is unfortunate that it needs to go to that level.

But often you run into such stubbornness on the part of people at other levels. I have spent 3 months full time, pulling an all-nighter or two, just trying to get a handful of tortured people out of jail, and raising it to every level. And the only way it ever got solved was by President Bush. It shouldn't take that.

Mr. PITTS. Just one minor thing, I don't know if it is minor, but the report says that in Egypt Christians make up between 8 to 10 percent of the populations. Human rights organizations have reported there are 11, 12 million, about 15 to 17 percent of the population based on baptisms, birth certificates. What was the basis for the use of our statistics in the report?

Mr. HANFORD. That is a good question. I don't know the answer to that. I have heard those other figures over the years as well. I think the government of Egypt has its set of figures, the Coptic community has its set of figures. I am not sure how we discern between the two, but we do need to have the most accurate information we can in our report.

Mr. PITTS. Okay. In Burma, can we expect public condemnations by the United States of the Burmese regime's actions. They are beginning to use rape as a systematic method of torture or a form of religious persecution there. And China, the report on China indicated we brought over some visiting religious leaders, scholars to the U.S. To see the role of religion in the U.S.

Are these representatives only of the government authorized, sanctioned religions, or were representatives of the underground church or other targeted groups able to get input? Do we have any way of ensuring that these groups are represented in the discussion is the question.

Ms. ROS-LEHTINEN. If you could give a short answer to that.

Mr. HANFORD. In China, I have met with these delegations over the years. I think it is wise to bring them. I don't ever remember meeting with any underground unregistered folks when this has gone on.

In Burma, things like rape are only going to backfire. This is going to be the sort of thing the world will not tolerate. But we have recently gotten word that a message has gone out, and we don't have a copy of this yet, but from the government of Burma, that they need—that officials need to pull back in what they are doing in their persecution based on religion.

Well, this is a good step, and I think maybe they are getting the message here.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Ambassador. As always, we always welcome your testimony, and we look forward to having you appear before us again.

Mr. HANFORD. Thank you.

Ms. ROS-LEHTINEN. And thank you to our Members for excellent questions.

And at this time I would like to introduce our second panelist, Ms. Felice Gaer, who has been referred to in previous discussions here this afternoon, Chairwoman of the U.S. Commission on International Religious Freedom.

Ms. Gaer has also served as Director of the Jacob Blaustein Institute for the Advancement of Human Rights. Ms. Gaer has been a public member of this U.S. Delegation to the UN Commission on Human Rights since 1994, and was Chair of the Steering Committee for the 50th anniversary of the Universal Declaration of Human Rights. She was elected in 1994 as a member of the Committee Against Torture. Furthermore, Ms. Gaer has worked as an author, a strategist, and an active member of such groups as the

Andrei Sakharov Foundation, Human Rights Watch Helsinki, and she has conducted numerous fact-finding missions and investigations into torture allegations and has written many human rights reports.

We welcome you to our Subcommittee, Ms. Gaer. It is a pleasure to see you again. Feel free to enter your complete statement for the record. And if you could summarize it, we would appreciate it.

**STATEMENT OF FELICE GAER, CHAIR, U.S. COMMISSION ON  
INTERNATIONAL RELIGIOUS FREEDOM**

Ms. GAER. Thank you very much, and thank you for the invitation and the kind advance publicity that I seem to have had today. The Commission testimony you have is somewhat lengthy, and obviously too lengthy for the time period that we have.

It does several things. First of all, it commends the report, and the enormous effort of the United States Government and the State Department particularly in putting together this report. It then focuses on three other issues related to the International Religious Freedom Act: First, how the reports are prepared, what we see thematically and substantially in those reports; secondly, we address which countries have systematic, egregious and ongoing, and particularly severe violations of religious freedom under the act which rise to the level of countries of particular concern and, as has been noted here today, we identified 12 such countries.

And then our testimony asks the question, what is being done about it? And what specific kinds of policy and government actions have been taken and should be taken? We then offer a series of recommendations drawn from the rather abundant recommendations that our Commission has presented in its various reports, which I would be very happy to share with you and the Members of the Committee.

So I will just summarize a few of those points. First of all, the annual report is absolutely unique. There is no other government report on religious freedom conditions worldwide. And this addresses more than conditions. It addresses governmental actions and policies as well. We received the report only 2 days ago like previous annual reports, it reflects an enormous amount of attention and commitment.

But as rich as some of the reports are, others really only tell part of the story. The report on Saudi Arabia, for example, while presenting severe violations of religious freedom in detail, does not discuss intolerance against religious minorities embedded in the education system, or allegations that the Saudi Arabia government has played a role in training religious militants, both inside Saudi Arabia and abroad.

The report on Afghanistan concentrates, to a very large degree, on events under the Taliban era. Troubling post-Taliban era developments, such as the reemergence of the Department to Prevent Vice and Promote Virtue, are absent. We would have wished to have seen more about the extraordinary episode in which the chief justice accused a sitting minister of the government, and the only women minister, of blasphemy without regard to either legal procedure or legal basis.

Such issues merit much greater focus, as the status of religious freedom in post-Taliban Afghanistan is not merely about a regime change, but about how that regime and its leaders are moving to restore tolerance and respect for international human rights norms and how they will treat all citizens, women and men, who seek to exercise that freedom.

At this time in history, we believe that the U.S. Government should be looking closely at these issues and informing the American people how its presence is or is not changing the status of freedom in that country. In this regard, our Commission has recommended that the President appoint, without delay, a high level special envoy to advance human rights in Afghanistan.

Now, a second theme that we find in the report is that criticism of some of the countries appears to have been muted. We draw attention in particular to Uzbekistan and Turkmenistan in that regard.

The third trend is that there is a hesitancy to state conclusions in most reports. Instead, the reports rely on the allegations of others who are usually unnamed. This is shockingly evident in the report on India, in which it is stated "human rights groups and others" have suggested that the authorities in Gujarat have not responded adequately to acts of violence against religious minorities. We do not know, but we would like to know, what is the U.S. Government's view of this? Did it reach that level?

A fourth trend is that the annual report continues to provide some, but only some, information on anti-semitism. The Commission reiterates its recommendations cited earlier that State Department officials should report accurately and comprehensively on such acts, going beyond each host government's information, which commonly overlooks religion-related underpinnings.

Fifth, it might be helpful for the Department to strengthen its instructions to posts in order to increase awareness about international human rights norms and the work of international and regional human rights mechanisms. These are mentioned episodically and inadequately.

Finally, where there are judgments, we find that some of the conclusions that are reached in the report are questionable in our view, such as the reports that there have been improvements with respect to religious freedom in Vietnam and Egypt and that conditions have remained the same in China and in Russia.

I see I am just about at the end of my time.

The countries that are designated as CPCs should be based on these reports. The reports provide ample evidence of the fact that the countries, Burma, China, Iran, Iraq, Sudan and North Korea should be renamed as CPCs, and that also the violations in several additional countries should get that designation. They rise to that designation. The Commission believes those countries are India, Pakistan, Saudi Arabia, Turkmenistan, Vietnam, and Laos.

Finally, there were four other countries the Commission felt came just below the CPC level, and we have established a watch list, placing on it Egypt, Indonesia, Nigeria and Uzbekistan.

The main emphasis of the rest of our testimony is that the IRFA reports don't contain as good a description of the policies that the State Department has adopted and undertaken as we know it has

carried out in many cases. Private demarches are not described. Public demarches might be mentioned in some instances, but what happened from them is not mentioned.

The Commission hopes that we can focus a little bit in the question period on how the promotion of religious freedom is advanced in particular countries through U.S. policies on foreign aid, public diplomacy, and participation in multilateral organizations.

Each of these areas is mentioned in IRFA. They really have not been developed. I think this is very much Congressman Smith's point, that there is much more that this act can offer. The 14 points are really a very rich menu of activity that are not being taken advantage of.

Thank you.

[The prepared statement of Ms. Gaer follows:]

PREPARED STATEMENT OF FELICE GAER, CHAIR, U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

One of the guiding purposes and principles behind the International Religious Freedom Act of 1998 (IRFA) has been to make the issue of international religious freedom an integral part of this nation's foreign policy agenda. IRFA sets out a number of interrelated mechanisms to further U.S. promotion of international religious freedom. These mechanisms include the creation in the State Department of an Office of International Religious Freedom headed by an Ambassador at Large for International Religious Freedom; an annual report by the State Department on the conditions of religious freedom in each foreign country and U.S. actions to promote religious freedom; a requirement that the President designate those countries that are egregious violators of religious freedom and generally take action to oppose violations; and the creation of the U.S. Commission on International Religious Freedom, which monitors international religious freedom and to makes independent recommendations to the President, the Secretary of State, and the Congress as to how the United States can further the protection and promotion of religious freedom.

This testimony will address two important and interrelated mechanisms set out in IRFA: the international religious freedom report issued annually by the Department of State and the designation by the Secretary of State (as the President's designee) as countries of particular concern, or CPCs—those countries whose governments have engaged in or tolerated particularly severe violations of religious freedom as defined in IRFA.

THE STATE DEPARTMENT'S ANNUAL REPORT ON INTERNATIONAL RELIGIOUS FREEDOM

The Annual Report on International Religious Freedom is unique. It is the only government report on religious freedom conditions worldwide. And it addresses more than conditions. Congress asked the State Department to describe U.S. policies in support of religious freedom as well as what the U.S. government is doing to promote religious freedom around the world. This reporting on policy is critical because it is a yardstick with which to measure the U.S. government's progress in meeting the goals of IRFA—opposing violations and promoting religious freedom.

The 2002 annual report was received only two days ago. Like previous annual reports, it reflects an enormous amount of attention and effort by U.S. embassy staff around the world, as well as the Office of International Religious Freedom and others here in Washington who have labored to produce this extensive and impressive global assessment. The Department has reached out to a wide variety of sources of information. They have examined laws. They have investigated individual cases. The Commission commends this effort and those engaged in it.

Many of the reports provide a rich array of information on religious freedom conditions, including China, Indonesia, Russia, and Pakistan. This should be obvious to anyone who reads it. Because time is short, let me discuss some thematic issues.

Some reports, for example, only tell part of the story. The report on Saudi Arabia, although it presents in detail severe violations of religious freedom, including prolonged detention, imprisonment, and impermissible corporal punishments does not discuss intolerance against religious minorities embedded in the education system or allegations that the Saudi government has played a role in training religious militants, both inside Saudi Arabia and abroad. Also, the report on Afghanistan concentrates to a large extent on events under the Taliban era. Troubling post-Taliban

developments such as the re-emergence under various guises of the Taliban era's Department to Prevent Vice and Promote Virtue, are absent. We would have wished to see more on the extraordinary episode in which the Chief Justice of post-Taliban Afghanistan accused a sitting Minister of the government (and the only female minister) of blasphemy, without regard either to legal procedure or to a legal basis. The Department attributes this accusation to a "political dispute between fundamentalist . . . and modernist factions . . ." and to the Chief Justice's "interpretation of Shariah." Such issues merit much greater focus, as the status of religious freedom in post-Taliban Afghanistan is not merely about a regime change, but about how that regime and its leaders are moving to restore tolerance and respect for international human rights norms, including religious freedom, and how they will treat all citizens—women and men—who seek to exercise those freedoms. Particularly at this time in history, the U.S. government should be looking closely at these issues, and informing the American people about how our presence is—or is not—changing the status of all freedoms in that country, for all Afghans. In this regard, the Commission has recommended that the President or Secretary of State appoint without delay a high-level Special Envoy to advance human rights in Afghanistan.

Criticism of some countries appears to have been muted. Unlike last year's report, the Report's Executive Summary entry on Uzbekistan this year fails to mention ongoing detention and imprisonment of Muslims, as well as torture. The full country chapter on Uzbekistan does provide details of these and other abuses. Yet several events are described as positive developments—although it remains to be seen if these developments reflect any *genuine* change in a country where the reports of the practice of torture and ill-treatment by law enforcement personnel have been so "particularly numerous, ongoing and consistent"—in the words of the UN Committee against Torture, a treaty body—as to suggest that it is widespread and tolerated at the highest levels of government. The report on Turkmenistan points to "a widespread internal investigation" of human rights violations as proof of a positive development. Turkmenistan is clearly a highly repressive authoritarian state run by the whim of its dictator, and it is dubious that this so-called investigation will have positive effects on the protection of human rights in that country.

The 2002 annual report shows the continuation of a trend of hesitancy to state conclusions, relying instead on the reports or allegations of others, who are usually unnamed. In the 2001 report on India, for example, we are told that "Human rights groups and others have suggested that the authorities in Gujarat have not responded adequately to acts of violence against religious minorities . . ." We would like to know what is the U.S. Government's view of this. The same report tells us that several U.S. officials went to Gujarat to examine the situation. But we are still waiting for a senior U.S. official to speak out publicly about those findings, rather than to refer generically to "the horrible violence"; we are also waiting for a senior official to travel to the region for further examination.

The annual report continues to provide some information on anti-Semitism, including physical assaults on Jews and firebombing and vandalism against Jewish synagogues, schools, cemeteries, and other institutions. The Commission reiterates its recommendation that State Department officials should report accurately and comprehensively on anti-Semitic acts, going beyond host government information which often overlooks religion-related underpinnings.

It might be helpful for the Department to strengthen its instructions to increase awareness of international human rights norms and the work of international and regional human rights mechanisms.

Some of the conclusions that are reached in the 2002 report are questionable in our view, such as the Department's determinations that there have been improvements in respect for religious freedom in Vietnam and Egypt, and that conditions have remained the same in China and in Russia. The report does note, rightly, a deterioration of conditions in both Georgia and Belarus.

#### COUNTRIES OF PARTICULAR CONCERN

The designation of countries of particular concern is one of the most important human rights acts taken by any U.S. administration. As the Ambassador-at-Large has said, the annual international religious freedom report is the factual basis on which those decisions are made.

Consistent with the recommendation of the Commission, last year the Secretary of State renewed the designations of Burma, China, Iran, Iraq, and Sudan as "countries of particular concern" (CPCs) under IRFA and designated North Korea as a CPC for the first time. We have examined the 2002 reports on each of these countries, along with our own study, and have recommended to the Secretary of State that each of these designations as CPCs be maintained, as the governments of all

of these countries continue to commit particularly severe violations of religious freedom as defined in IRFA.

The 2002 annual report, again along with our own inquiry, reveals violations so severe in several additional countries so as to require CPC designation. These countries are India, Pakistan, Saudi Arabia, Turkmenistan, Vietnam, and Laos.

Serious violations of religious freedom put four other countries, Egypt, Indonesia, Nigeria, and Uzbekistan, close to the line of meriting CPC designation. The governments of these countries have not taken effective steps to halt repression and/or violence against religious believers, nor, in most cases, to punish those responsible for these acts. We have put them on a "Watch List," and we may, after further monitoring and additional investigation, reassess their status later in the year. A Commission letter to the Secretary of State dated September 30, 2002 outlining these recommendations is attached to this statement.<sup>1</sup>

Designation of CPCs is only one aspect of IRFA. IRFA also requires that the U.S. government take steps in response to violations of religious freedom. The annual report is the place where those steps should be described, along with the specific policies that they are intended to further. Much less attention has been paid by the Department to this aspect of the reporting than the reporting on religious freedom conditions. A better balance is needed.

The report does not contain a good description of the policies that the State Department has adopted and is implementing to oppose religious freedom violations and to promote religious freedom—on a worldwide, regional, or even individual country basis. For example, the report does not explain how the promotion of religious freedom is advanced in particular countries through U.S. policies on foreign aid, public diplomacy, and participation in multilateral organizations (such as the UN and the Organization for Security and Cooperation in Europe) and international financial institutions. Each of these policy areas is specifically mentioned in IRFA as a potential mechanism to promote religious freedom. In contrast, the Commission has made recommendations on using each of these policies to promote religious freedom in several countries. Also, the annual report does not describe the results (or lack thereof) of the particular actions taken, such as the outcomes resulting from meetings with foreign government officials.

Of all the countries mentioned in the Executive Summary of the 2002 annual report, only the reports on China, Egypt, Indonesia, and Vietnam attempt any kind of systematic explanation of U.S. policies and how the actions taken by the U.S. government during the reporting period further those policies. This type of explanation is notably absent in the reports on Saudi Arabia, India, Pakistan, Nigeria, Sudan, Uzbekistan, and Laos. The United States has diplomatic relations with all of these countries and is engaged on various levels with their host governments.

In addition, it is not apparent from the lists of actions taken how the United States is seeking to promote—in a coordinated and deliberate fashion—religious freedom in countries where violations occur. The Commission is concerned that, unlike it previous years, the Secretary of State has yet to inform Congress what steps he has taken to oppose particularly severe violations of religious freedom and promote the right to freedom of religion in those countries designated as CPCs back in October 2001. And despite the availability of a range of policy tools, the State Department continues to take no additional action under IRFA against those countries the Secretary names as CPCs, explicitly relying instead on pre-existing sanctions to meet IRFA's requirement to oppose particularly severe violations of religious freedom. While this may be technically correct under the statute, it is indefensible as a matter of policy.

In the remaining time, I would like to highlight a few of the Commission's policy recommendations to promote religious freedom in those countries that we believe should be designated as CPCs in the hope that the Congress .

The horrific abuses of all human rights in North Korea have contributed to tens of thousands of refugees fleeing to China, many of whom have been forcibly repatriated by the Chinese government. Last week, the Commission urged President Bush to make clear to the North Korean authorities that significant progress on religious freedom and other human rights is necessary for improved bilateral relations. The North Korean officials should be pressed to stop seeking forced repatriation of those who have fled the country, to cease the harsh and sometimes lethal treatment of returnees, and to negotiate and enter into a binding agreement with the United States, as authorized under IRFA, to cease violations of religious freedom. President Bush should (1) communicate to the President of China U.S. concerns about the sit-

<sup>1</sup> Commissioners Gaer and Young dissented from the Commission's recommendation to recommend that India be named as a CPC, and Commissioners Sadat and Tahir-Kheli dissented from the Commission's decision not to recommend Uzbekistan as a CPC.

uation of thousands of North Koreans who have fled to China and (2) urge the Chinese government to abide by its international commitments to refrain from forcibly repatriating North Koreans and to grant refugee status to those who meet international criteria.

In China, the government has intensified its campaign of repression against religious believers in the past year. President Bush has personally raised the importance of religious freedom to China's President and has taken this message directly to the Chinese people. The Commission urges that goals and benchmarks be established prior to President Jiang's upcoming visit to the United States later in October in order to measure progress in the protection of religious liberty in China. Among these benchmarks should be the release of persons confined on account of their religion or belief and an end to the detention, imprisonment, torture, and other forms of ill treatment of Protestant Christians, Roman Catholics, Tibetan Buddhists, Uighur Muslims, and other groups, such as Falun Gong, that the government has labeled "evil cults." This would be an appropriate follow up on the recent visit to China of the Ambassador at Large for International Religious Freedom.

Recent events in Sudan, including the bombing of civilian targets and renewed bans on humanitarian assistance deliveries, remind the world of the genocidal acts that the Sudanese government has committed in that civil war. The United States has been engaged in bringing the warring parties to the peace table and in improving humanitarian conditions in southern Sudan and the Nuba Mountains. The developments of the past few weeks show that real pressure is necessary to bring the Khartoum government to the peace table in good faith—pressure directed at halting the Sudanese government's use of oil revenues to prosecute the war. Peace talks are scheduled to resume next week, and we urge the administration not to flag in its efforts to bring about a just and lasting peace in Sudan, taking into account the recently passed Sudan Peace Act.

Each State Department annual report has stated that religious freedom simply "does not exist" in Saudi Arabia. Yet the Secretary of State has not named Saudi Arabia as a CPC. The Saudi government enforces a strict interpretation of Islam—to the exclusion of all others—and uses that interpretation as a justification for comprehensive restrictions on minority religious practice, whether Muslim or non-Muslim. Religious freedom violations in Saudi Arabia include torture and cruel and degrading treatment or punishment imposed by both judicial and administrative authorities; prolonged detention without charges (and often incommunicado); and flagrant denials of the right to liberty and security of the person, including coercive measures directed against women and the extended jurisdiction of the religious police (*mutawaa*), whose powers are vaguely defined and exercised in ways that violate the religious freedom of others. In The *mutawaa*, who have been much criticized for their role in the fire at a girl's school last March, were also cited by the UN Committee Against Torture for activities that violate that treaty.

In India, for the past two years, the Commission has expressed concern about the severe violence against religious minorities—including Christians, Muslims, and others—in which there has been a pattern of failure to bring those responsible to account. In recent years, Christians have suffered numerous, sometimes fatal, attacks. You may be well aware of the events in the state of Gujarat, on which the Commission held a public hearing in June 2002. In February-April 2002, after 58 Hindus were killed on a train in Godhra, at least 1,000 Muslims were killed and more than 100,000 forced to flee their homes as a result of violence by Hindu mobs. While the "horrible violence" has been noted by U.S. officials, there has been no direct condemnation of the fact that the attacks were mainly against Muslims. The American Ambassador and other senior officials should speak out and should encourage the Indian government to take action to protect Muslims and hold perpetrators accountable before the law.

The government of Pakistan has failed adequately to protect religious minorities from sectarian violence and to hold perpetrators to account, including those responsible for the recent upsurge in attacks targeting Christians. Discriminatory laws, including the blasphemy and anti-Ahmadi laws, have been used to imprison individuals for the peaceful practice of their faith and also help to create an atmosphere of religious intolerance that contributes to violence. Too many of Pakistan's Islamic religious schools continue to provide ideological training and motivation to those who take part in violence targeting religious minorities in Pakistan and elsewhere. U.S. relations with Pakistan have changed enormously in the past year. This new relationship should afford the U.S. government the opportunity to press for and encourage reforms in law and practice, including the types of reforms called for in House Resolution 348.

Since Congress ratified the U.S.-Vietnam Bilateral Trade Agreement in September 2001, the Vietnamese government has continued its repressive policies to-



ward all religions and their followers. A Commission delegation that visited Vietnam in March 2002 found that religious dissidents remain under house arrest or are imprisoned, including Father Thaddeus Nguyen Van Ly, who was detained after he submitted testimony to the Commission last year. In addition, Vietnamese government officials continue to suppress organized religious activities and to harass leaders and followers of unregistered religious organizations, particularly unregistered Protestant fellowships and other religious minorities, as well as clergy members of officially recognized religious groups, including Catholics and Buddhists, who endure government interference in their activities.

The Commission continues to recommend that the U.S. government extend CPC status to Turkmenistan, where the government severely restricts religious activity other than that engaged in by the government-sanctioned Sunni Muslim Board and the Russian Orthodox Church. Members of unrecognized religious communities—including Baha'is, Baptists, Hare Krishnas, Jehovah's Witnesses, Muslims operating independently of the Sunni Muslim Board, Pentecostals, and Seventh-day Adventists—have reportedly been arrested, detained (with allegations of torture and other ill-treatment), imprisoned, deported, harassed, and fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed. Turkmenistan's President Niyazov has not made good on promises to senior U.S. officials to make improvements. The Commission has also recommended suspension of all non-humanitarian assistance to the government of Turkmenistan, with the exception of programs that serve specifically identifiable U.S. national security interests.

Finally, the Commission continues its recommendation that Laos be designated a CPC. Government officials in Laos continue to arrest, detain (at times for months), and imprison members of minority religions on account of their faith. In some instances, officials attempted to force Christians to renounce their faith. A Commission delegation visited Laos in February 2002 and noted a number of new developments that bear watching.

#### CONCLUSION

The 2002 annual report is a significant achievement in implementing IRFA. For the reasons discussed above, it is still a less effective instrument of U.S. foreign policy than it could be. The Commission looks forward to continuing to work with the State Department and the Congress in improving the annual report and developing policies to protect religious freedom worldwide.

Ms. ROS-LEHTINEN. Speaking of Mr. Smith, you are recognized.

Mr. SMITH. Thank you. Thank you for your leadership. And we commend and thank the Commission for its extraordinarily effective work. It really serves as a parallel, the way it was intended to be, but also a real watchdog, speaking independently, and I'm very grateful for the work that you do.

Just a couple of points. I notice that you have listed India among those that ought to be CPC, or countries of particular concern. I hope the State Department takes to heart this criticism.

We had a very similar problem when we were dealing with the trafficking implementation and the fact that India, even though it has an enormous problem with human trafficking of citizens and aliens, it is not a Tier 3 country and ought to be. And here again we see it is not listed as a country of particular concern. And our hope is that regardless of any geopolitical concerns, India and its poor record, vis-a-vis both of these issues, religious freedom and the enslavement of women, would be rightly designated so that hopefully there will be a response that is positive and constructive.

So, again, I am glad that you make these recommendations, because hopefully they are listened to. I was concerned that Uzbekistan was not on that list. Perhaps you might want to elaborate on that, as you heard, and as you know, there are anywhere from 6,500 to 7,000 believers, Muslims, who are deprived of all of their liberties behind bars, and sometimes tortured.

And on Vietnam, you might want to speak to Father Ly. As you know so well, he offered up testimony to the Commission last year, and for that found himself under house detention after spending more than a decade in prison for his religious beliefs.

My hope is that Vietnam will be designated as a country of particular concern, because it has not made improvements for the average person who is a believer. We need to be careful of deceptive efforts that are often put forward by governments as evidence of doing something, when it turns out that very little is done in reality, when new laws, policies need to be implemented as well.

And I note in the report, the government continued to restrict, significantly, the publicly organized activities of religious groups, and yet later it says there were some improvements. So I think there has been a deterioration in some areas, particularly the Montagnards, who have experienced enhanced repression in the last several months.

That is an opening. Perhaps you might respond to some of those.

Ms. GAER. Well, thank you, Congressman, and the members of the Commission greatly appreciate your interest, support, and kind words about our own work.

If I might comment on Uzbekistan, the Commission did not recommend it for CPC status. But the Commission has studied Uzbekistan very carefully, and we have issued a report this year, which I think you will agree has some very strong, and I think hopeful recommendations; that is, hopeful if they were followed.

It was a judgment call, as these things are, as to whether or not the conditions in the country merited CPC status. We had no doubt, I might tell you, that the practice of torture is widespread, consistent, and egregious, and it is conducted by law enforcement officials, leading one to believe that this is sanctioned at the highest levels.

The question that remained before commissioners has been whether or not, in fact, this was religious-based or based on religious underpinnings, or whether there were political and other factors that led to it, including issues related to terrorism and destabilization.

We appreciate, though, the ongoing work of the Commission that you chair, the CSCE. We have an invitation from Uzbekistan to travel to the country, and we are looking further into these matters.

On the issue of Vietnam, the Commission did reach the conclusion, following such a visit to the country that in fact, the situation has grown worse. As you know, that the situation of Father Ly has not improved. He is still imprisoned, and the attitude toward religion by public officials has worsened. There is a campaign in progress to limit and restrict that.

So we did not find things better, and certainly this extends in many different directions, whether it is the Montagnards, the unregistered church, or the Buddhists as well.

Finally, on the issue of India which you raised, I believe our Commission held the first hearing on this subject. We have been all around town raising this question, and asking for heightened attention to it.

The Commission agrees with Ambassador Hanford that it was the state officials that have been identified by India's own Human Rights Commission as being complicit in the horrific violence and riots that took place and the terrible loss of life.

There was, however, concern by the commissioners that the government of India could have established emergency rule in the province and in the State of Gujarat and it did not. It could have in other similar areas and examples. There were other steps that might have been taken that the Commission as a whole felt were not taken.

I might say, Mr. Smith, as a personal aside, that there was a dissent on the Commission. Two of the commissioners felt very much that the government of India has in fact contained the violence within the state, that it did not spread, and has taken steps to get the courts, which are admittedly uneven in their activity and their ability to move through these cases, to take actions. The time period involved is short, India is a robust democracy, it has free press, and it has human rights groups, and it is working on these issues. And that is why it would not be appropriate to so name, and I was one of those who took that point of view on India.

The Commission's view, however, is that this rose to the level of a CPC. The government has tolerated repression and where it does qualify as a CPC.

Mr. SMITH. Let me just ask if I can on China. Obviously with the upcoming visit by President Jiang Zemin, it represents an opportunity. But as we have seen in the past, there are many people here in the United States who act as useful idiots, if you will, enablers, perhaps naive and unwitting, but enablers that somehow put in a box the human rights issue and naively believe if we just trade, trade, trade, we will see an amelioration of these human rights issues. That has not happened. It has not happened in other places where, like in Cuba, where the Europeans and the Canadians have been trading with Cuba, and there is still in excess of 400 political prisoners in Cuba. Unfortunately, there is a worsening problem of child prostitution and other kinds of exploitations. So there has been no easing there.

But getting back to China, you know, they have not hit rock bottom. It could still get worse, as we all know. The dictatorship is growing increasingly menacing vis-a-vis Taiwan and other places. They are growing their military capability exponentially, especially with the transfer of technological capabilities coming courtesy of the U.S., and Europe and elsewhere. Our hope is, my hope is, all of our hope is, that the President will be very strong. I know he believes in his heart of hearts that human rights are extremely important. He is a good man.

But I know when you get into those diplomatic fora, it is very easy to raise it, but move on because you want good relationships with powerful countries like the PRC. If the President were here, what would you say to him? I mean, the Falun Gong are suffering immeasurably right now; there are torture deaths. We know of 200-plus that are tortured to death, the Catholic Bishops, the Protestants, the Uyghurs, the Buddhists. We all know who they are. We don't even know the full extent of it, because it still is a closed country.

But it seems to me that China, when we think it has reached bottom, plumbs additional depths that are unheard of.

Someone explained to me that there are some in China who watched what happened in Eastern Europe. I heard this when I was in Moscow, and Chris Cox had a Sino watcher who said this rather matter of factly. They looked at what happened in Eastern Europe, the impact that the Pope had and Lech Walesa and people of faith, and they vowed it would not happen there. So they perceive religious belief as a political threat and therefore repress it with all of the terrible tools that a dictatorship has at its disposal.

What would you say to the President about China and what he needs to say to Jiang Zemin?

Ms. GAER. Well, on a personal note I would say to him to follow his heart and not his advisers. Officially, however, on behalf of the Commission, we would advise him to look at three things. We would also tell him to read our report, which has 10 more things.

We would urge him to actually establish goals and benchmarks that mean something, and among those benchmarks should be the release of prisoners who are confined on behalf of their religion, not one prisoner here or there, but large numbers.

And we would also call for the U.S. to communicate to the President of China America's concerns about the thousands of North Koreans who have fled to China seeking freedom, and urge them to abide by their international commitments to refrain from forcefully repatriating North Koreans, and to grant refugee status to those who meet international criteria.

As I said, we would give him our report.

Mr. SMITH [presiding]. Thank you. Mr. Pitts.

Mr. PITTS. Thank you. I wish you could go on and on about your recommendations, they were so excellent.

To go back to India, according to the religious freedom reports, the National Human Rights Commission in India found, and I quote, "no organized pattern of anti-Christian activity." Do you agree with this assessment, and do you believe that there is an organized pattern of anti-Muslim activity? And then to explore a little bit on your comment, do you believe that Gujarat is indicative of a systemic problem, or it is militant, extremist activity?

Ms. GAER. Thank you, Congressman. I will try to answer on behalf of the way the Commission has addressed this issue. The Commission has studied anti-Christian violence in India for several years now. And one of the things it identified in the last year, with the violence in Gujarat and separately from it, in the State of Gujarat and elsewhere in India we have identified a pattern of religiously motivated violence against Christians and Christian institutions as well.

So the National Commission may have been correct that in the 48 hours of rioting they could not identify specifically Christian-related activity, but if you broaden your lens a little bit there, there certainly has been an inadequate response to that.

Is this violence a systemic problem? Well, anyone who has studied the violence in the south of Asia knows this is a thousand-year-old, centuries-old problem.

Is it systemic? Is it organized, planned, directed by the government? There is no evidence that the central government is doing that in India.

Mr. PITTS. What about the state government?

Ms. GAER. Well, in the case of Gujarat, for example, there is abundant evidence that the state officials did not call for central support, and allowed a march to take place with the bodies from the train in Gujarat. That actually whipped people up. Nobody has been able to explain the police standing by.

Mr. PITTS. How has the BJP's nationalist agenda affected the situation in India with respect to the religious minority? And does that vary from region to region? If you were making recommendations to the Indian central government, what would you say to them to address the violence that may be fueled by the BJP's agenda and policies?

Ms. GAER. I suppose I would say that the Commission asks these questions, too, but would benefit from the government of India extending an invitation to the Commission to come and see for itself. We have had any number of governments that we have been concerned about extending such invitations to us. We have not had that extended to the Commission as a whole by the government of India. And then we might have a better answer for you on that question.

Mr. PITTS. Would you have any recommendations as far as how to improve the relationship between religious communities, between religious minorities in the state?

Ms. GAER. I would say we would. If you have an hour, we would be happy to come by and elaborate on what some of those might be and how the Congress might advance them or to submit something in writing.

Mr. PITTS. What actions do you think you would recommend to the United States Government if India is designated as a CPC?

Ms. GAER. Well, the first step of that 14-point ladder has to do with demarches, and we think that demarches should go forward and should be known, and they should be visible demarches. We would recommend the Ambassador or some high-ranking individual travel to the region and see for him- or herself. The report says that some officials went to the region, but as far as we can tell this has never been true for the Ambassador or any other high ranking official, and perhaps he would like to invite you to join them when they go there. I think that might be a dandy recommendation.

Mr. PITTS. I would really enjoy the privilege. Thank you very much.

Mr. SMITH. Thank you very much, Mr. Pitts. Just a final comment and maybe a question on Turkmenistan. I am very grateful that you included that in your list of CPC countries. My hope is, our hope for many of us, is that the State Department will so designate it.

President Niyazov, as you know, has not only been very harsh on religious freedom, there is simply no religious freedom. They have actually bulldozed churches. Reminds me of Romanian dictator Nicolae Ceaucescu. He is right out of the same play book. If you don't like a church, you bulldoze it. I remember standing in Romania standing in a bulldozed church that Buni Kokar, the pastor,

was still holding services, defining the Securitate in a church that had no roof. It was just a remarkable act of civil disobedience on his part.

Regrettably, in Turkmenistan those who engage in similar activities find themselves hauled off to prison for beatings and mistreatment because Turkmenistan does not get much of the international limelight.

I would ask you, and you might want to comment on Turkmenistan, because it does not get the kind of focus it deserves, and Georgia as well. We do have, as I indicated earlier to Ambassador Hanford, a very significant aid package. Shevardnadze has made good statements, but there seems to be very little or no follow-through.

They condemn these acts of violence fomented by the defrocked priest and others, and then you find out that they are happening all over again with people hurt and bloodied. Nothing is done to rein in on this rain of terror.

And then, on the French law, you might want to comment on that. That anti-cult legislation, as I indicated earlier, was passed, in my view as an anti-religious act, using the pretext of criminal characters in order to get it passed.

Is there any kind of interface with the French by the Commission to try to admonish them that not only is it bad for people living in France who want to exercise their freedom of conscience, but it also is picked up like a fumbled football and carried over the goal line in places like China and elsewhere, who they cite by name, the repressive laws in Europe, like the anti-cult law in France as justification. They say, if the French can do it, why can't we?

Again it becomes a very, very dangerous tool in the hands of anyone, but especially a dictatorship.

Ms. GAER. We think that Turkmenistan needs more attention. If I may use a phrase I have used with you before, Mr. Smith, it needs some calibrated attention.

Mr. SMITH. That goes back to Romania 20 years ago.

Ms. GAER. It is a place with a repressive one-man dictatorship that effectively prohibits religious freedom. It only allows two religions to function. We have a whole report on that situation with a series of policy recommendations. I am happy to share those with you.

In the situation in Georgia, I couldn't agree with you more. This is a real tragedy. Here is a country with an enlightened leader that should be able to put a stop to this quite promptly. Many experts would argue that the economic situation has fueled the kind of popular dissatisfaction and the outlet for that is the kind of things that Father Basil tends to engage in and the police and the TV seem to allow to go forward and be publicized. I don't know if that is true. The Commission, in fact, is closely studying the situation in Georgia but we have not done a full analysis of that. But it certainly merits a great deal of attention and that is a place where we have leverage.

Finally, on the French law, one of my fellow commissioners has traveled to France and had discussions with leading French officials on these issues. In fact, two of my fellow commissioners, Leila Sadat and Richard Land, have both been there. Professor Sadat

has lectured at the American Center on the International Religious Freedom Act on what we are trying to do and why this is wrong. We have communicated our view that this is not only problematic in terms of France but all the countries around the world, especially the newly independent countries that are following the French example and saying, this is right for France, why can't we do it? And it has created a terrible, terrible series of problems in its wake.

Mr. SMITH. I know it was not on your list of countries that you were recommending for CPCs but Belarus—as I think you know—on Wednesday its upper House in the Parliament passed one of the most restrictive laws, the kind that we are talking about in France. Obviously we have very little leverage over Belarus; even less leverage over North Korea which is an egregious violator. Do you have any recommendations of what we might do vis-a-vis Belarus and Lukashenko's dictatorship?

Ms. GAER. Congressman, it is the most repressive religious law in Europe, there is no question. We are in one of those situations, not unlike the ones Ambassador Hanford described, where we have very little leverage left at all. I know you are having a hearing yourself at the Commission this week and I know you are having the leading expert in America on Belarus and repression as one of the witnesses. So I would urge you on a personal level, not on behalf of our Commission, but I would urge you to listen very closely and take some time with that witness.

Mr. SMITH. Ms. Gaer, thank you very much for your testimony. I look forward to working with you as we go forward.

Ms. ROS-LEHTINEN. Thank you, Ms. Gaer. Unfortunately we have to wrap up your testimony because the witnesses in our next panel have time consideration for flights. Thank you. It is always great to see you, Felice. Thank you very much. Excellent work. Our Subcommittee is very proud of the work that your Commission does from day to day.

Our third panel today brings us the testimony of many victims of religious persecution from around the world. I apologize for the difficulty I will have with your names. Our first witness comes to us from China. Mr. Ghayret Sidik is a Uyghur Muslim who had to flee his native country of China seeking refuge and eventually came here to the United States. Secondly, we will be hearing from Udit Raj who is a representative of the Lord Buddha Club, a respected religious man in India. He most recently led over a million from Hinduism to Buddhism late last year. We thank you very much for traveling such a great distance to join us. Following Mr. Raj, we will hear the testimony of Saikh Waheed Ahmad who was unable to join us despite his attempts to be here with us from Pakistan. His colleague and fellow member of the Ahmadiyya Muslim community, Naseer Ahmad, will be presenting for him today.

Thank you, and I apologize again if I did not do a good job on those names. But I will do an even worse job with this one. Next we will be hearing from Imam Sayed Mustafa Al-Qazwini who is talking to us via telephone, the Founding Director and Imam of the Islamic Educational Center of Orange County. Aside from his work at the Center, Imam Qazwini comes from a long line of religious

leaders who endured religious persecution under the Iraqi regime. We thank you for joining us today via telephone.

Last, Ms. McKinney has asked Mr. Nihad Awad to join our panel today. He is the Executive Director of the Council on American-Islamic relations. We welcome Mr. Awad's testimony.

Ms. ROS-LEHTINEN. I thank all of you for joining us here today. We look forward to your testimony. We will begin with our first witness, Mr. Sidik from China.

**STATEMENT OF GHAYRET SIDIK, UYGHUR VICTIM OF  
RELIGIOUS PERSECUTION IN CHINA**

[The following testimony was delivered through an interpreter.]

Mr. SIDIK. My name is Ghayret Sidik. Thank you very much for the opportunity to speak before you since my English is not very good. So, Alim—

The INTERPRETER. That is me.

Mr. SIDIK [continuing]. Is going to do the translation.

My name is Ghayret Sidik. I am a Uyghur Muslim from East Turkestan. I was born on May 10, 1966 in Urumchi, the capital of East Turkestan. In 1955 China changed the name of our country East Turkestan into Xinjiang Uyghur Autonomous Region. Xinjiang literally means new territory in the Chinese language.

The Chinese Constitution guarantees that every person has religious freedom. However, China is not run by the constitution but by the dictates of the Chinese Communist Party. The Uyghur people have never been fully able to enjoy religious or any kind of freedom since Communist China occupied East Turkestan in 1949. There is indeed certain Islamic institutions sanctioned by the Chinese Government but they have never represented the interest of the Uyghur Muslims in East Turkestan.

The Uyghur people became Muslims and adopted Islam in the 11th century. Before that they believed in Buddhism, Manichaeism, Shamanism and Nestorian Christianity. Islam is not the only religion the Uyghurs believed since they first appeared on the stage of history. Today the Uyghur people believe in the Sunni branch of Islam which is rather moderate in form. For the Uyghur people, Islam is their religious and cultural identity. Unfortunately, nowadays the Chinese Government is attempting with every means to destroy the Uyghur people's religious and cultural identity which is Islam. China also considers Islam as a threat and has been aggressively portraying the Uyghur dissidents as Islamic fundamentalists or religious extremists. China knows the western democracies would sooner or later buy this concept since the Middle Eastern terrorist groups indeed pose a threat to them.

China is also eradicating the influence of Islam among the Uyghur people in order to dilute the distinction between the Chinese and the Uyghurs. Therefore those Uyghurs who practice Islam in any form or shape without the approval of the Chinese Government is considered an enemy of the state. Many Uyghurs who are not necessarily opposed to the rule of the Chinese Government but simply want to practice their religion landed in jail for many years. In these days it is a crime being religious for the Uyghur people. If you look, act, sound, even smell like a religious person, you become a potential target of persecution.



My younger brother, Yunus Sidik, was targeted by the Chinese Government for learning Quran with some of his friends in Urumchi. The Chinese police arrested Yunus in June 2000 for teaching Quran to five of his friends at my parents' house. The Chinese police searched the house and confiscated all the religious books and the Quran. Since then Yunus was imprisoned for more than 1½ years without trial. The Chinese Government didn't inform my family about Yunus' whereabouts and his situation. My parents and I couldn't find a way to know where and how he was until right before his release in December 2001. We actually thought he might have been killed in prison or somewhere.

Just 2 weeks before my brother's release, the Chinese police informed my family that there would be a secret trial about my brother Yunus and only my mom could attend the trial. According to my mother, she went to a court for my brother's trial. In the court, my mother could see my brother Yunus only from a distance. The Chinese judge pronounced his decision to release my brother in the next few weeks. Then the trial was over. My mom said during his entire imprisonment, he served in the notorious Liudaowan Prison where torture is rampant. My brother was frequently beaten and tortured by the Chinese prison guards, causing him to spit blood and having trouble urinating even after his release. Yunus' health has greatly deteriorated in prison. My mother told me that he constantly vomits because of those prison beatings. She also said no animal could endure the cruelty my brother suffered at the hands of the Chinese prison guards. Yet Yunus is considered lucky because some of his friends are still languishing in prison for committing no crime but learning Quran in private.

My brother Yunus, though released from prison, has been strongly warned by the Chinese Government, never participate in any kind of so-called illegal religious activity or social gatherings. Otherwise, he could face an even harsher prison sentence, nothing like the first one. Unthinkably, the day Chinese police arrested my younger brother, they also detained and questioned my elder brother and sister for 3 days. I don't know exactly what the police asked them for that long period of time but it seemed they questioned about my whereabouts and Yunus' illegal religious activities. Both of them were shocked when the Chinese police detained them for doing absolutely nothing illegal.

My younger sister who returned to Urumchi from Tashkent in November 1999 to visit and look after my sick father was detained for 15 days by the Chinese police for simply wearing a scarf, even though her face was not covered. My father was very sick at that time with blood pressure. My sister was also nursing her infant son. Due to Chinese pressure and warning, my sister did not stay long in Urumchi but had to leave for Tashkent. My beloved father, Sidik Rashidin, died 1 week after the unfortunate departure of my sister. We all mourned greatly since we were not there for my father when he died in pain.

I am the fourth child in my family. I haven't been a direct victim of Chinese persecution but I have never had a chance to practice my religion, Islam, in a normal fashion without fear. The main reason is that the Chinese persecution of the Uyghurs is multidimensional and it has been intensified with high frequency, especially

after September 11, 2001. It can be seen on all aspects of Uyghur life: Political, economic, cultural, and religious. These are the main reasons why I left my home country in the early 1990s like many other Uyghurs, fleeing Chinese persecution. I lived in Uzbekistan for many years. I, a peaceful and a quiet Muslim, was able to somewhat practice Islam in Uzbekistan whereas in China I couldn't whenever I returned home and visited my parents.

In the spring of 1997 when I visited my parents in Urumchi, I decided to go to a local mosque for a Friday prayer. I went to the mosque which was quite close to where my parents lived. I met with a number of Uyghurs who were standing in front of the mosque and they greeted me. There, many elders of the mosque sincerely warned me not to go into the mosque to pray because of the political situation. They said I would be in big trouble with the authorities if I went in and prayed, since many Uyghur young men were arrested. After their warning, I didn't go in to pray but left for home. Later I learned that mosques became a place where Chinese police arrest those Uyghur youth that they deem suspicious. The time I visited Urumchi was just 2 months after the Ghulja massacre where the Chinese paramilitary police killed many peaceful Uyghur demonstrators in the city of Ghulja, which is very close to Kazakhstan, because they demanded political and religious freedom from the Chinese authorities. Their righteous demand met with armed repression and large-scale execution.

According to Amnesty International, since February 1997 China executed more than 200 Uyghurs for participating in a peaceful demonstration in the city of Ghulja. Amnesty says China only executes Uyghur political and religious dissidents and the torture methods China uses on the Uyghur prisoners are nowhere to be found in China.

In China it is almost a crime being born a Uyghur Muslim. To be a practicing Muslim for the Uyghur people means to be a criminal in the eyes of the Chinese authorities. Today the Uyghur people don't enjoy religious or any kind of freedom in China. The religious freedom Uyghurs enjoy in China is as hypocritical as the ethnic autonomy the Chinese Government offered to the Uyghurs in 1955. There is practically no way for an average Uyghur to study and practice Islam in an average way under Chinese rule. Pro-Chinese Uyghur mullahs or imams who have been indoctrinated by the Chinese authorities run all the mosques. As a result, the mosques are no longer a house of worship but have become a house of fear. China arrests and imprisons any Uyghur it suspects practicing religion outside of its tight control. This has contributed to the loss of identity among many Uyghurs who are afraid of learning and practicing their religion Islam.

Fear is rampant among the Uyghur religious community. There is no place where ordinary Uyghur Muslims can teach their children what their forefathers have believed for 1,000 years. I always wanted to teach my son Azimat Ghayret, who is now in Urumchi, to study Quran. Unfortunately I couldn't find anyplace to send him since China considers private religious education as illegal religious activity. Today the only way for the Uyghurs to be a good citizen of China is to give up their religion, their culture, their tradition and their way of life, and totally to conform to the standards of the

Chinese government. This is the only way to survive and be good in the sight of the Chinese Government. Any Uyghur who intentionally or unintentionally deviates from the standards set by the Chinese Government is immediately demonized or criminalized.

My family is only one of the millions of Uyghur families that has suffered tremendously under the unjust Chinese rule. The suffering of the Uyghur people in China is unthinkable and unacceptable, for the Uyghur people are peaceful, nonviolent and hopeful. They are not religious fundamentalists or terrorists as China often claims. The majority of them are peace-loving people. However, after September 11, China, using the war on terror, has widely cracked down on the Uyghurs by labeling any Uyghur organization as a terrorist organization. There is no future for the Uyghurs in China. Most of them don't see a light at the end of the tunnel. For 53 years, China has responded to Uyghur grievances with increased harsh repression. The Uyghurs have lost hope that China will ever change its wicked policy toward the Uyghur people. So we hope the U.S. Government will take up the Uyghur issue and help us to be who we are, because we are not Chinese, we are Uyghurs and we are not atheists or Communists, we are good Muslims who believe in the one true God like the Christians. If the United States Government doesn't help us to defend our God-given human rights, the chances are that no other government will ever defend us. Thank you very much.

Ms. ROS-LEHTINEN. Thank you. That was a very good statement. We appreciate it. Thank you for being here with us.

[The prepared statement of Mr. Sidik follows:]

PREPARED STATEMENT OF GHAYRET SIDIK, UYGHUR VICTIM OF RELIGIOUS  
PERSECUTION IN CHINA

My name is Ghayret Sidik; I am a Uyghur Muslim from East Turkestan. I was born on May 10, 1966 in Urumchi, the capital of Eastern Turkestan. In 1955, China changed the name of our country East Turkestan into Xinjiang Uyghur Autonomous Region. Xinjiang simply means New Territory in the Chinese language.

The Chinese Constitution guarantees that every person has religious freedom. However, China is not run by the constitution but by the dictates of the Chinese Communist Party. The Uyghur people have never been fully able to enjoy religious or any kind of freedom since communist China occupied East Turkestan in 1949. There is indeed certain Islamic institutions sanctioned by the Chinese government. But they have never represented the interest of the Uyghur Muslims in East Turkestan.

The Uyghur people became Muslims and adopted Islam in 11th century. Before that they believed in Buddhism, Manichaeism, Shamanism and Nestorian Christianity. Islam is not the only religion the Uyghurs believed since they first appeared on the stage of history. Today the Uyghur people believe in Sunni branch of Islam, which is rather moderate in form. For the Uyghur people Islam is their religious and cultural identity. Unfortunately, nowadays the Chinese government is attempting with every means to destroy the Uyghur people's religious and cultural identity—Islam. China also considers Islam as a threat and has been aggressively portraying the Uyghur dissidents as “Islamic fundamentalists” or “religious extremists”. China knows the western democracies would sooner or later buy this concept since the Middle Eastern terrorist groups indeed pose threat to them.

China is also eradicating the influence of Islam among the Uyghur people in order to dilute the distinction between Chinese and the Uyghurs. Therefore, those Uyghurs who practice Islam in any form or shape without the approval of the Chinese government is considered as an enemy of the state. Many Uyghurs who were not necessarily opposed to the rule of the Chinese government but wanted to practice their religion landed in jail for many years. In these days, it is a crime being religious for the Uyghur people. If you look, act or sound like a religious person, you become a potential target of persecution.

My younger brother Yunus Sidik was targeted by the Chinese government for learning Quran with some of his friend in Urumchi. The Chinese police arrested Yunus in June 2000 for teaching Quran to his five friends at my parents' house. The Chinese police searched the house and confiscated all the religious books and Quran. Since then, Yunus was imprisoned for more than one and half year without trial. The Chinese government didn't inform my family about Yunus' whereabouts and his situation. My parents and I couldn't find a way to know where and how he was until right before his release in December 2001. We actually thought he might have been killed in prison or somewhere.

Just two weeks before my brother's release, the Chinese police informed my family that there would be a secret trial about Yunus, and only my mom could attend. According to my mother, she went to a court for my brother's trial. In the court, my mother could see Yunus only from a distance. The Chinese judge pronounced his decision to release my brother in the next few weeks. Then, the trial was over. My mother said during his entire imprisonment, he served in the notorious Liudaowan Prison where torture is rampant. My brother was frequently beaten and tortured by the Chinese prison guards causing him spit blood and having trouble urinating even after his release. Yunus' health has greatly deteriorated in prison. My mother told me that he constantly vomits because those prison beatings. She also said no animal could endure the cruelty my brother suffered in the hands of Chinese guards. Yet, Yunus is considered lucky because some of his friends are still languishing in prison for committing no crime but learning Quran in private.

My brother Yunus, though released from prison, had been strongly warned by the Chinese government never participate in any kind of so-called illegal religious activity or social gatherings. Otherwise, he could face even harsher prison sentence nothing like the first time. Unthinkably, the day Chinese police arrested my younger brother Yunus, they also detained and questioned my elder brother and sister for three days. I don't know exactly what the police asked them for that long period of time but it seemed they questioned about my whereabouts and Yunus' "illegal religious activities". Both of them were shocked when the Chinese police arrested them for doing absolutely nothing illegal.

My younger sister who returned to Urumchi from Tashkent in November 1999 to visit and look after my sick father was detained for 15 days by the Chinese police for wearing a scarf, even though her face was not covered. My father was very sick with blood pressure at that time. My sister was also nursing her infant son. Due to Chinese pressure and warning, my sister couldn't stay long in Urumchi but had to leave for Tashkent. My beloved father Sidik Rashidin died one week after the unfortunate departure of my sister. We all mourned greatly since we were not there for my father when he died in pain.

I am the fourth child in my family. I haven't been a direct victim of Chinese persecution but I had never had a chance to practice my religion Islam in a normal fashion without fear. The main reason is that the Chinese persecution of the Uyghurs is multidimensional and has been intensified with high frequency, especially after September 11, 2001. It can be seen on all aspects of Uyghur life, political, economic, cultural, and religious. These are the main reasons why I left my home country in early 1990s like many other Uyghurs fleeing Chinese persecution. I lived in Uzbekistan for many years. I, a peaceful and quiet Muslim, was able to practice Islam in Uzbekistan whereas in China I couldn't whenever I returned to visit my parents.

In the spring of 1997 when I visited my parents in Urumchi, I decided to go to a local mosque for a Friday prayer. I went to the mosque, which was quite close to where my parents lived. I met with a number of Uyghurs who were standing in front of the mosque and they greeted me. There many elders of the mosque sincerely warned me not to go into the mosque to pray because of the political situation. They said I'd be in big trouble with the authorities if I went in and prayed since many Uyghur young men were arrested. After their warning, I didn't go into pray but left for home. Later, I learned that mosques became a place where Chinese police arrest those Uyghur youth that they deemed suspicious. The time I visited Urumchi was just two months after the Ghulja massacre where the Chinese paramilitary police killed many peaceful Uyghur demonstrators in the city of Ghulja, because they demanded political and religious freedom from the Chinese authorities. Their righteous demand met with armed repression and large-scale execution.

According to Amnesty International, since February 1997 China executed more than 200 Uyghurs for participating in the peaceful demonstration in the city of Ghulja. Amnesty says China only executes Uyghur political and religious dissidents and the torture methods China uses on the Uyghur prisoners are nowhere to be found in China.

In China, it is almost a crime being born a Uyghur Muslim. To be a practicing Muslim for the Uyghur people means to be a criminal in the eyes of the Chinese authorities. Today, the Uyghur people don't enjoy religious or any kind of freedom in China. The religious freedom Uyghurs enjoy in China is as hypocritical as the ethnic autonomy the Chinese government offered to the Uyghurs in 1955. There is practically no way for an average Uyghur to study and practice Islam in an average way under Chinese rule. Pro-Chinese Uyghur mullahs or imams, who have been indoctrinated by the authorities, run all the mosques. As a result, the mosques are no longer a house of worship but have become a house of fear. China arrests and imprisons any Uyghur it suspects practicing religion outside of its tight control. This has contributed to the loss of identity among many Uyghurs who are afraid of learning and practicing their religion.

Fear is rampant among the Uyghur religious community. There is no place where ordinary Uyghur Muslims can teach their children what their forefathers believed for more than one thousand years. I always wanted to teach my son Azimat Ghayret who is now in Urumchi to study Quran. Unfortunately, I couldn't find any place to send him since China considers private religious education as "illegal religious activity". Today, the only way for the Uyghurs to be a good citizen is to give up their religion, culture, tradition, and way of life and totally conform to the standard of the Chinese government. This is the only way to survive and be good in the sight of the Chinese government. Any Uyghur who intentionally or unintentionally deviates from the standards set by the government is demonized and criminalized for as long as China wants it.

My family is only one of the millions of Uyghur families that has suffered tremendously under the unjust Chinese rule. The suffering of the Uyghur people in China is unthinkable and unacceptable. For the Uyghur people are peaceful, nonviolent and hopeful. They are not religious fundamentalists or terrorists as China often claims. The majority of them are peace-loving people. However, after September 11 China using the war on terror has widely cracked down the Uyghurs by labeling any Uyghur organization as a terrorist organization. There is no future for the Uyghurs in China. Most of them don't see a light at the end of the tunnel. For 53 years, China has responded to Uyghur grievances with harsh repression. The Uyghurs have lost hope that China will change its wicked policy toward the Uyghurs. So we hope the U.S. government take up the Uyghur issue and help us to be who we are because we are not Chinese but Uyghurs, we are not godless communists but good Muslims who believe in one true God like the Christians in America. Thank you very much!

Ms. ROS-LEHTINEN. Mr. Raj.

**STATEMENT OF UDIT RAJ, BUDDHIST VICTIM OF RELIGIOUS PERSECUTION IN INDIA**

Mr. RAJ. Madam Chairman, Mr. Pitts, Mr. Tancredo, what I am going to tell you, what I am going to share with you may not be believable at the outset because the Dalit population in India is roughly equivalent to the U.S. population. You all know that Hinduism is a major religion of the world but the religion itself discriminates against its own people. To me, or to many of us, to many of my people, Hinduism is not a religion; rather, it is a political device to rule the majority of the people. That is why they have divided the whole historical population into four segments. At the lowest, the untouchables. They can't touch upper castes, so-called upper castes. Lower caste people can't use the water, public places, they cannot marry. Then afterwards we have the business community, then warrior class, and at the top are the Brahmins, so-called upper caste. The whole population is divided into four parts, four segments. At the lowest are Dalits. They have been suffering for 3,000 years.

Why the world community has not attended to it, even yours? The reason being, I entirely agree with Mr. Tancredo, that India is considered the largest democracy. When it is considered the largest democracy, then it is also considered that everything is fine

with it. This is the one reason that the world has not attended to it.

The second reason is that the believers of the same religions have been discriminated by the believer of the same religion. Here in the case of Uzbekistan, Turkmenistan, China and other countries, it is Islam versus Christianity or Christianity versus Islam, so on and so forth. But our position is different. Today those who are walking away from Hinduism and embracing Islam, Christianity, Buddhism, they are under attack.

World history must not have witnessed this so far. Last year, about a million Dalits were going to leave a rigid caste system unknown before. We have collected in the United States and Europe on the basis of Web sites and Internet, a million Dalits are going to reject Hinduism and some of the Web sites said they are going to embrace Christianity; some of them said that they are going to embrace Buddhism. If that is what they choose, a basic Hindu fundamentalist, a basic Hindu person, which taken openly, and I have evidence, and the newspapers have reported, and I have submitted evidence, and he said that—the leaders said that they will not allow the conversion.

The Indian Constitution guarantees the right to freedom, the right to change their religion, but it was openly denied. The permission to hold conversion at Ram Lila Ground, New Delhi was denied at the 11th hour. The New Delhi borders were sealed and police were heavily deployed at the railway stations and bus terminals. Our leaders were terrorized. I had to undergo—I had to hide myself because they were trying to detain me because I am a leader of 300 million people. At the last moment, we could shift our venue and hundreds of thousands of Dalits could embrace rigid Hinduism, it had been widely reported, and the world media had reported it properly.

My problem is that here we are discussing about Gujarat, discussing about Graham Staines, increasing attack on Christians, and the need to rescind the draconian law passed by Tamilnadu government in the southern state of India. Why are these things happening? Our situations are completely different. They are happening only because of increased interest of the upper caste. It has clashed with anybody, even far back with Dalits, or with other communities, or Christians, or Muslims. Sometimes they attack Christians, sometimes they attack Muslims. And all the time, Dalits. For 3,000 years Dalits have been persecuted, tortured, raped. Mostly the poor.

Only because of this debate could we have foreseen change. Some of the formative actions have been incorporated into the Indian Constitution. Of course, some of them have come up.

The second aspect of the whole society is that why you people in the United Nations or your Nation have not understood it, because whenever you go to Delhi or to the various international fora, you will interact only so-called biased upper caste. I will say that not all the upper caste are biased but a majority of them are biased. So biased upper caste, they will not let you know the reality. They are ruling the roost in media, in trade, industry, higher education and many other fields. So we do not find the opportunity to come to you to represent our advices in international fora.

I am very happy that you have provided me an opportunity to raise our rights, and of course those who are assisting here: Nancy Ellison of course, Mr. Joseph D'souza who is the President of the All India Christian Council, and of course Mr. Sam Paul who is with me. I am thankful to them also that they could manage to be here, manage me to represent the views of Dalits.

Madam Chairperson, now work starts, responsibility starts.

Ms. ROS-LEHTINEN. Thank you, Mr. Raj. If you could summarize—I am sorry—because of the time limitations.

Mr. RAJ. Please look at our problems. That is what I was going to include. There is another region of the world which is not yet under the glorious company of the world community. That is the Dalit world. Thank you.

Ms. ROS-LEHTINEN. Thank you so much for your excellent statement.

[The prepared statement of Mr. Raj follows:]

PREPARED STATEMENT OF UDIT RAJ, BUDDHIST VICTIM OF RELIGIOUS PERSECUTION  
IN INDIA

INTRODUCTION

Hinduism is not a religion but a fascist political scheme to subjugate the lower castes, untouchables, commonly known as Dalits and other minorities. There is no possibility of mobility, i.e. the so-called lower castes can't become equal to others as it is prohibited by Hindu religious scriptures and by the prevalent social practices. In order to hide its weakness, other religious missionaries and preachers are blamed and attacked while they are accused of unnecessary and forced intervention in the domain of Hinduism. Religious freedom is banned to perpetuate the Caste system; in turn it is leading to incidents of human rights violations, rape, murder, torture, and police brutality. Whosoever tried to fight the caste system, was brutally crushed.

In the 6th century B.C. Lord Buddha stood against the stratified social system and for quite some time his preachings were followed, but Brahminical Social Order (BSO) destroyed it. Most recently Buddhism started getting revived or it would have been completely wiped out. Ancient powerful philosopher, Charvak, known little in history, was burnt by the BSO. In the first century Apostle Thomas, a disciple of Lord Jesus Christ, was killed by a Brahmin. Hinduism is an ideological hegemony and keeps on surviving either with stick or without. The secret of its strength is to terrorise the majority of people in the name of a myriad of gods and goddesses. The fascist Brahminical forces want to enjoy power and position at the cost of others; therefore they do not allow others to choose their religion and faith based on equality, love, affection, and free will.

THE HISTORY OF RELIGIOUS FREEDOM IN INDIA

About 300,000,000 untouchables (Dalits) have been subjected to humiliation, degradation, untouchability, starvation, murder, and rape for over 3000 years. Indian society has been divided into four classes (castes); at the top are the Brahmins (priestly class), next to them are Kshatriyas (Warrior class), then the Vaishyas (Business class), and at the bottom are Shudras (untouchables). The untouchables can not share public life with the upper castes and even their shadows pollute the so-called upper castes. Manusmriti (Hindu spiritual law), which regulates social and political life of Hindu society in India, bars untouchables from reading, pronouncing and hearing the holy books like Vedas. If they hear them molten lead is to be poured in their ears, if they pronounce them their tongues are to be cut off and their eyes are to be pierced with red irons. Even African brothers have not faced such a draconian social and religious norm. The Indian Government may say that the old Constitution, Manusmriti, has been replaced by modern Indian Constitution which was framed by Dr. B.R. Ambedkar. But because of improper implementation of the present Constitution, the old Constitution prevails in day-to-day life. So far, total loss or murder of untouchables (Dalits) would be higher than the human loss in all the battles fought in Indian history.

Dalits have never enjoyed any spiritual freedom and spiritual democracy was unknown to them. They were continuously oppressed under spiritual fascism. The un-

touchables have been convinced to live this dehumanized life because they are said to be condemned to it by the desire of gods. Accordingly, it is considered good if they suffer because they are washing away the sins of their past life and their present suffering will liberate them in the next life. With this historical background the religious liberty for them is a dream unfulfilled.

SOME RECENT POINTS ABOUT HOW THE RELIGIOUS FREEDOM IS CURTAILED IN INDIA

*i. November 4th, 2001—The foiled conversion plan of one Million.*

On Nov.4, 2001 under the banner of All India Confederation of SC/ST Organisations and Lord Buddha Club when around a million Dalits and others were going to quit Hinduism under my leadership, Mr. Giri Raj Kishore , Vice President of Vishwa Hindu Parishad (VHP), a fundamental Hindutva organisation, threatened to sabotage the conversion saying that it was a western and American conspiracy. According to him, it was a Christians' conspiracy. Our Indian constitution provides the fundamental right for anyone to choose their faith and belief. However VHP and other Hindutva organisations infringed this fundamental right. Despite hindrances created by Hindu fundamentalists, Dalits changed their faith. The All India Christian Council, under the leadership of Dr. D'souza and Mr. Sam Paul , stood for the cause of freedom of religion and faith. This event made an impact not only in India but in the whole world. (Please see Appendix no: 1).

On the day of conversion, the police barricaded the entire Ram Lila Ground (place of conversion) New Delhi, and misdirected the participants saying the program had been cancelled. They also put up false banners along the way saying the function had been called off. The police were not only obstructing the way but also harassing those that were coming to Delhi and beating them up to go back. Despite the undeclared emergency and police brutality, more than 100,000 Dalits rejected Hinduism and broke the shackles of caste, defeating both the government and the RSS-VHP. The conspiracy of the RSS/VHP, the Central government, the National Commission for Minorities, and the Police was clear. Permission given under the Delhi high court to use the Ram Lila grounds for the function, was withdrawn at the eleventh hour for flimsy reasons. The police put up fake posters announcing the rally had been cancelled. The media was misinformed in an official disinformation campaign against the rally. Overnight the venue had to be changed from Ram Lila grounds to the grounds of the Ambedkar Bhawan, totally disrupting the arrangements.

Most of the supporters were to come from Uttar Pradesh, Punjab, Chandigarh and Haryana, the neighbouring states. Overnight, the police forces of these states moved against the Dalits. The police personally terrorized the state and district level leaders, repeatedly going to their homes. Many were called to police stations and warned against going to Delhi. The worst brutality was against tens of thousands Dalits who were coming by buses. All buses were stopped at various points in Uttar Pradesh and Haryana. Thousands of buses, tempos and cars were detained at the border. The police were constantly asked to release the buses and let the people come. The people were not even allowed to walk into Delhi. There were scores of complaints from train stations where the rally supporters were harassed and forced to return back to their stations as they arrived. Though the government thought that nothing would happen and geared all of their might and official system against the conversion, the valiant Dalits defeated the government. Some Dalits from distant states eluded the police by coming in small groups into Delhi. Even in Delhi, the police harassed them and scores were manhandled. Many senior leaders were stopped at barriers and could only come to the rally with great difficulty.

Caste based religion theoretically and openly justifies life long graded inequality and discrimination. The fascist BSO is neither a religion nor a philosophy but a manipulative device and system to enslave the minds of the majority for the sake of the upper caste.

At present the condition of women in our country is even worse than that of the Dalits. In Hinduism there is talk of worshiping goddesses but in the Ramcharita Manas, which is the so called superlative religious book of the Hindus, it has been said that drums, illiterates, shudras (lower castes), animals, and women all deserve the same treatment, that is to be beaten up. In their Scriptures women are degraded . From the time they are born till the time they die this is the kind of treatment that is meted out to women in India. If women are to be accorded their rightful place in society, people will have to renounce the prevailing Brahminical Social Order.

Christianity is known for serving the poor and it is in the service of the poor that the essence of a religion is realized and attained. However this cardinal approach applies less in the case of Dalits(untouchables ) in India. This is true because the



Brahmanical forces mask the truth and the Brahmanisation or Hinduisation of Christian brothers in India. The All India Christian Council is trying hard to liberate Christianity from the Caste System. Many are surprised to discover that in some places in India there are separate churches for Dalits and upper caste.

*ii. Increased atrocities on Christians to curtail religious freedom*

The recent increase and systematic plan of attack on the Christian Community is an important demonstration of the deteriorating condition of religious liberties in India. The Christian Missionary volunteers providing health services and skills including education are subjected to rape, murder, torture, and police brutalities—all with the false accusation of fraudulent conversions. The national bodies like the All India Christian Council had demanded a white paper on conversions but government had not provided any evidence of false conversion or the required information. Still the official machinery is used to blame the whole Christian community as guilty of false conversions.

Freedom of Religion is denied and defied even by the highest authority of the country. Once Mr. Atal Behari Vajpayee, the Prime Minister of India said, that the service spirit of the Christian Missionaries is good but conversion is unwarranted. The attacks on Christians have drastically increased throughout the country, we submit a series of attacks on Christians in the past few years just in the state of Gujarat. (appendix 2).

The fundamentalist organizations like the Vishwa Hindu Parishad (VHP) and Rashtriya Swayam Sevak Sangh (RSS) openly say that no one should choose another faith or religion even though the Indian Constitution guarantees freedom of religion. They are demanding a debate on conversion whereas Hinduism itself needs a debate whether it is a religion or a fascist political scheme.

*iii. Ethnic Cleansing of Muslims in the State of Gujarat*

Recently Muslims in Gujarat were attacked and murdered on account of a religious hate campaign by the Hindu Fundamentalists and the local State Government led by the Bharatiya Janata Party. They fully participated in this and used official machinery against a religious community. Muslim homes were burnt, mosques bulldozed and desecrated, unofficially 2,000 were murdered, and over 100,000 Muslims were sheltered in relief camps without basic amenities. (appendix no: 3).

The complacency of the Indian Federal Government is demonstrated by their lack of any action against Mr. Narendra Modi, the Chief Minister, who is responsible for this Genocide. The Hindutva organizations are openly saying that they will make all of India like Gujarat, the followers of other religions must submit and live at their mercy. They are acting as an extra-constitutional authority thus hampering the democratic rule of the land. A team that surveyed the situation in Gujarat as late as August 2002 have agreed with the National Human Rights Commission of India and several other International organizations that the State Government was clearly involved in Genocide and that the Central Govt. did not react on behalf of the victims after the riots. (appendix 4)

*iv. State Governments' laws against conversion to other faiths*

Several State Governments like Arunachal Pradesh, Orissa, Madhya Pradesh, and recently on October 6th, 2002, the Government of Tamilnadu, introduced the draconian law restricting freedom of choice and religion and stating if any individual desires to change his religion—permission has to be sought. (appendix no. 5).

Several months ago, a nun was arrested and imprisoned for a period of six months in Madhya Pradesh on the false charges that she was involved in converting. Though Graham Stuart Staines and his two young sons Timothy and Philip were brutally burnt alive one night by a group of men led by Dara Singh, the culprits have still not been brought to the justice till today.

CONCLUSION:

The essence of religion is to spread love and affection among human beings and guide them on a true spiritual path. The so called religion of Hinduism is devoid of such essentials and hence it is expected that it will discriminate the brethren of its own society. I did not mention it as a so called religion in the beginning of this paper in fear of almost all Hindu gods and goddesses involved in revenge and cursing. They were fighting with each other for wealth and women instead of fighting for justice, love and freedom. Even an ideal god of Hinduism, Ram, beheaded Dalit saint Shambhuk because he dared to worship. According to Hindu Scriptures a Dalit is not supposed to worship.

Everything looks fine from the world's perspective—but it is not so in reality. Why has this horrific cruelty not gotten international attention sooner? The so called

upper castes have always defended their actions using one pretext or the other. Sometimes they said that it is a family matter and some other times they said that it is the essence of Hinduism and outsiders cannot understand it. The sufferers could not raise their voice because they believed the fraudulent propaganda and did not have the intellectual training to understand and protest. The so called upper caste have continued the Dalits oppression by withholding proper education to their children. Without adequate educational training the Dalits have been unable to break free from their plight.

In the current environment of spiritual fascism true freedom and liberty can only be experienced when religious liberties are freely exercised. The great nation of India stands at a pivotal time in her history when the religious liberties of hundreds of millions are at stake. I would like to take this opportunity to say to my brothers of the free world and champions of human rights: Why they have you failed so far to share the saga of such misery? It is better late than never for the international community in general and particularly the Congress of the United States to take up the cause of liberation of 300,000,000 Dalits hundreds of millions of other caste communities. Failing now will cause the Dalits any many other oppressed and persecuted peoples of India to loose faith in the champions of Human Rights.

SUMMARY OF RELIGIOUS FREEDOM ISSUES IN INDIA AS PRESENTED TO THE HOUSE  
INTERNATIONAL RELATIONS SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND  
HUMAN RIGHTS

1. Hinduism is not a religion but a political scheme to subjugate the lower castes, untouchables, commonly known as Dalits and other minorities.
1. There is no possibility of mobility, i.e. The so-called lower castes can't become equal to others as it is prohibited by Hindu religious scriptures and by the prevalent social practices.
2. In order to hide it's weakness, other religious missionaries and preachers are blamed and attacked while accusing them of unnecessary and forced intervention in the domain of Hinduism. If Hinduism is a true and authentic religion, then why would they be afraid of other religions?
3. Religious freedom is banned to perpetuate the Caste system; in turn it is leading to incidents of human rights violations, rape, murder, torture, and police brutality. So far, the total loss or murder of untouchables (Dalits), would be higher than the human loss in all battles fought in Indian history.
4. Dalit and other sufferers, because of Casteism (Hinduism) wanted to leave the religious system and about a million of them were going to reject Hinduism on November 4th 2002. The government led by the Hindutva fundamentalist forces did not allow that to happen at Ram Lila Ground, New Delhi. They deployed police and used other illegal mechanisms of hindrances to disrupt the rally, yet hundreds of thousands still embraced Buddhism. This incident was widely covered by the world media (Please see Appendix no: 1).
5. Freedom of Religion is denied and defied even by the highest authority of the country. Once Mr. Atal Behari Vajpayee, the Prime Minister of India, said that the service spirit of the Christian Missionaries is good but conversion is unwarranted.
6. Several State Governments like Arunachal Pradesh, Orissa, Madhya Pradesh and recently on the October 6th, 2002 the Government of Tamilnadu, introduced the draconian law restricting the freedom of choice and religion and if any individual desires to change his / her religion the permission has to be sought. (appendix no. 2).
7. The fundamentalist organisations like the Vishwa Hindu Parishad (VHP) and Rashtriya Swayam Sevak Sangh (RSS) openly say that no one should choose another faith or religion even though the Indian Constitution guarantees their freedom of religion. They are demanding debate on Conversion whereas Hinduism itself needs a debate whether it is a religion or a fascist political scheme.
8. Recently, Muslims in Gujarat were attacked and murdered on account of a religious hate campaign by the Hindu Fundamentalists and the local State Government led by the Bharatiya Janata Party. They fully participated in this and used official machinery against a religious community. Muslim homes were burnt, mosques bulldozed and desecrated and over 100,000 Muslims were sheltered in relief camps without basic amenities. (appendix no: 3)
9. The complacency of the Indian Federal Government is seen by not taking any action against Mr. Narendra Modi, the Chief Minister, who is responsible for this Genocide in Gujarat.

10. The Hindutva organizations are openly saying that they would like to make all of India like Gujarat, the followers of other religions must submit and live at their mercy. They are acting as an extra-constitutional authority.
11. The Christian Missionary volunteers providing health services and skills including education are subjected to rape, murder, torture and police brutalities—all with the false accusation of fraudulent conversions. The National bodies like the All India Christian Council had demanded a white paper on conversions but the government had not provided either any evidence of false conversion or the white paper. Still the official machinery is used to blame the whole Christian community as guilty of false conversions.

Ms. ROS-LEHTINEN. Mr. Ahmad.

**STATEMENT OF NASEER AHMAD, AHMADIYYA MUSLIM VICTIM  
OF RELIGIOUS PERSECUTION IN PAKISTAN**

Mr. AHMAD. Madam Chairperson, honorable Congressmen, thank you for the opportunity to present my testimony. I request that the written testimony be made part of the record.

Ms. ROS-LEHTINEN. Yes. Of course, we will put it all in the record for all of the witnesses.

Mr. AHMAD. What I also request is that there are two other documents.

Ms. ROS-LEHTINEN. And all your documents that you would like to include.

Mr. AHMAD. My name is Naseer Ahmad and I represent the Ahmadiyya Muslim Community USA. I serve as the Co-Chair of the Ahmadi Human Rights Committee and this enables me to understand the plight of Ahmadis in Pakistan.

I will go over this testimony. I am proud to call myself a Pakistani American. I work hard to support Pakistan with my friends in the Pakistani American community. It is somewhat painful to present this testimony because as a true friend of Pakistan, I think one must let the facts speak for themselves. When General Musharraf took over in 1999, he promised to return Pakistan to the path of modernity. Ahmadis of Pakistan, like friends and citizens and supporters of Pakistan, welcomed these initial statements by General Musharraf which evoked the dream of the founder of Pakistan, Mr. Jinnah, who saw Pakistan as a progressive state among the community of nations. Mr. Jinnah envisaged a Pakistan as a country in which citizens were free to go to their temples, to their mosques, and the religious beliefs of the citizens were their private matter and not a matter of the concern of the state. Leaders lead by example and Mr. Jinnah appointed Sir Zafrulla Khan, a devout Ahmadi who later served as a judge and the President of the International Court of Justice in Pakistan. He was appointed as the first Foreign Minister of Pakistan.

I want to bring this up while some Ahmadis who were wrongly incarcerated were released earlier this year by the government of Pakistan and the pronouncements they had made initially were then—there was some retraction, and that has been disappointing.

We feel that, unfortunately, General Musharraf's government has not lived up to the expectations it had built up through the earlier statements.

I will share with you seven points that are in the September 2000 report which is attached. Last year the Government of Pakistan announced the decision to replace the separate electorate with

the joint electorate as incorporated in the 1973 constitution. Ahmadis welcomed this decision and they registered to vote.

Then in July 2002, suddenly without giving any valid reason, the Pakistan Government revised its decision to have only one common list of voters. The revision resulted in a situation now where non-Ahmadi Muslims, Hindu, Sikh, Christian, Parsi and Buddhist voters are on one list and a completely separate list is—and that is termed as non-Muslim, reserved specifically for Ahmadis. Since Ahmadis practice Islam and they do not consider themselves as non-Muslims, they are effectively disenfranchised because a person who belongs to the Ahmadiyya community simply will not register according to the discriminatory rules under which the elections are going to be held tomorrow.

Point number two. On August 31, Mr. Mushtaq Ahmad Saggon, a member of the Ahmadi community, was arrested in Khangarh, District Muzaffargarh, which is in southern Punjab Province, for preaching his religious views. Police charged him under section 298 C, the infamous anti-Ahmadi law. He applied for bail. His application for release was rejected by the magistrate on September 11, 2002.

Number three. Police arrested Mr. Waris Khan, an Ahmadi, on September 2 based on the accusation of preaching. The accusation was filed by Mulla Anwar ul Haq. Mr. Khan has been charged under Pakistan penal code, PPC 295A, a blasphemy clause and PPC 298, a clause of the anti-Ahmadiyya law. Mr. Khan's plea for release on bail was rejected on September 9, 2002. If convicted, Mr. Khan faces 10 years' imprisonment.

The fourth point is an important one that I want to bring up and that is why I requested these two attachments to be part of the record. The Ministry of Religious Affairs now requires Pakistani pilgrims interested in going to Mecca for a pilgrimage to sign a sworn statement that the applicant is not an Ahmadi, and that the founder of the Ahmadiyya community was a cunning and deceitful person.

The attachment that I am going to give you, the form application which is published by the Pakistan Embassy in Washington, states that they are required to say that the person is not an Ahmadi. This addition that the leader and the founder of the community was a deceitful and a cunning person is an addition that is happening under this current regime now and this is backtracking from what they had said earlier. This statement that I am referring to further requires the applicant to certify that a person claiming to be a prophet cannot be a good man. So they are adding judgemental value here.

Point number five. On August 26, 2001, a mob of extremists led by mullahs destroyed a mosque belonging to the Ahmadiyya community in District Sheikhpura. More than a year later, authorities have still not permitted the reconstruction of the mosque that belonged to the Ahmadiyya community. The local Ahmadis wrote to the President of Pakistan, they wrote to the Governor of Punjab, the Inspector General of Police. The President's office has not responded nor even have they acknowledged the receipt of the application.

Number six. Rabwah, the spiritual center of the Ahmadiyya community and a town with 95 percent of the population Ahmadi, was renamed not by this government but by a previous government of Prime Minister Nawaz Sharif, specifically to please an opportunistic anti-Ahmadi mullah who is also a politician and a member of the provincial assembly. The purpose was to humiliate Ahmadis. The fact is that Rabwah was created by Ahmadis from literally a dust bowl. I am a witness to that because I was a young boy and I visited it in the earlier days when Rabwah was being created. The Pakistan Government, the current government, has not rescinded this unjust action.

Number seven. Anti-Ahmadi gatherings in Rabwah, the spiritual center of our community, these anti-Ahmadi gatherings are allowed and they are attended by mostly out-of-town people. Yet law-abiding Ahmadi citizens of Pakistan are not permitted to hold traditional community peaceful greetings.

I want to just finalize this by saying Professor Yohannan Friedman, I believe he works in L.A., noted in his book *The Prophecy Continues* that the Pakistan's anti-Ahmadi laws made the lives of Ahmadis into a crime. And under the current regime, these laws are still on the books. This is still true because laws like PPC 298C and 295B are still in effect and have been applied against innocent Ahmadis. Thank you very much.

Ms. ROS-LEHTINEN. Thank you. Thank you for your testimony. We appreciate it very much.

[The prepared statement of Mr. Ahmad follows:]

PREPARED STATEMENT OF NASEER AHMAD, AHMADIYYA MUSLIM VICTIM OF  
RELIGIOUS PERSECUTION IN PAKISTAN

PERSECUTION OF AHMADIS CONTINUES IN PAKISTAN

My name is C. Naseer Ahmad and I represent the Ahmadiyya Muslim Community USA. For several years now, I have served as Co-Chair Ahmadi Human Rights Committee and this role enables me to understand the plight of Ahmadis in Pakistan.

I am proud to call myself a Pakistani American. I work hard to support Pakistan with my friends in the Pakistani American Community. Therefore, it is somewhat painful to present this testimony but as a true friend of Pakistan, one must let the facts speak for themselves.

When General Musharraf took over in 1999, he promised to return Pakistan to the path of moderation and modernity. Ahmadis like all friends, citizens and supporters of Pakistan welcomed General Musharraf's initial policy statements, which evoked the dream of the founder of Pakistan, Mr. Jinnah who saw Pakistan as a progressive state among the community of nations.

Mr. Jinnah envisaged a Pakistan in which the citizens were free to go to their temples and the mosques and the religious beliefs of citizens were their private matter and not a concern of the state.

Leaders lead by example and Mr. Jinnah appointed Sir Zafrulla Khan—a devout Ahmadi and who later served as a Judge and President of the International Court of Justice in Hague—as the first Foreign Minister of Pakistan.

While some Ahmadis who were wrongfully incarcerated were released earlier this year subsequent Government actions and pronouncements have been disappointing.

Unfortunately, General Musharraf's Government has not lived up to the expectations it built through its earlier statements. I will share with you some excerpts from the September 2002 Report (Appendix A) our committee received recently. The record in fact borders on timidity, duplicity and flip-flopping. For example:

1. Last year, Pakistan Government announced the decision to replace the separate electorate with joint electorate as incorporated in the 1973 Constitution. Ahmadis welcomed this decision and registered to vote. Then in July 2002, without giving any reason Pakistan Government revised its decision to have

only one common list of voters. The revision resulted in a situation where non-Ahmadi Muslim, Hindu, Sikh, Christian, Parsi and Buddhist voters are on one list and a completely separate list termed as “non-Muslim” is reserved specifically for Ahmadis. Since Ahmadis practice Islam and do not consider themselves non-Muslim they are effectively disenfranchised because a person who belongs to the Ahmadiyya Muslim Community simply will not register according to the discriminatory rules under which the elections are going to be held tomorrow.

2. On August 31, 2002 Mr. Mushtaq Ahmad Saggon was arrested in Khangarh, District Muzaffargarh for preaching his religious views. Police charged him under Section 298 C—the infamous anti-Ahmadi law. His application for release on bail was rejected by the magistrate on September 11, 2002.
3. Police arrested Mr. Waris Khan, an Ahmadi, on September 2, 2002 based on the accusation of preaching. The accusation was filed by Mulla Anwar ul Haq. Mr. Khan has been charged under Pakistan Penal Code (PPC) 295A—a Blasphemy clause and PPC 298C (a clause of the anti-Ahmadiyya Law). Mr. Khan’s plea for release on bail was rejected on September 9, 2002. If convicted, Mr. Khan faces 10 years imprisonment.
4. The Ministry of Religious Affairs now requires Pakistani pilgrims to Mecca to sign a sworn statement that the applicant is not an Ahmadi and that the founder of the Ahmadiyya Muslim Community was a cunning and deceitful person. This statement further requires the applicant to certify that a person claiming to be a prophet cannot be a “good man”.
5. On August 26, 2001 a mob of extremists led by mullahs destroyed a mosque belonging to the Ahmadiyya Muslim Community, Syedwala, District Sheikhpura. More than a year later, the authorities have not permitted reconstruction of the mosque. The local Ahmadis wrote to the President of Pakistan, the Governor of Punjab, and the Inspector General Police. The President’s office has not responded nor even acknowledged the receipt of the application.
6. Rabwah the spiritual center of the Ahmadiyya Community and a town with over 95% Ahmadi population was renamed by Prime Minister Nawaz Sharif’s Government—specifically to please an opportunistic anti-Ahmadi mullah-politician and to humiliate Ahmadis. Rabwah was created by Ahmadis from a dust-bowl and the Pakistan Government has not rescinded this unjust action.
7. Anti-Ahmadi gatherings in Rabwah—attended mostly by out of town hate-mongers—are permitted. Yet, law-abiding Ahmadi citizens of Rabwah have not been permitted to hold traditional community public meetings.

Professor Yohannan Friedman noted in his book “The Prophecy Continues” that the Pakistan’s Anti-Ahmadi laws made the daily lives of Ahmadis into a crime. This is still true today because laws like PPC 298C and 295B are still in effect and have been applied against innocent Ahmadis.

Ms. ROS-LEHTINEN. By phone we will be hearing from Mr. Al-Qazwini, the founding Imam and Director of the Islamic Educational Center of Orange County. If you can make your statement, Mr. Al-Qazwini.

**STATEMENT OF SAYED MUSTAFA AL-QAZWINI, FOUNDING  
IMAM AND DIRECTOR, ISLAMIC EDUCATIONAL CENTER OF  
ORANGE COUNTY**

[The following testimony was delivered by telephone.]

Mr. AL-QAZWINI. Yes. Madam Chair, Members of the Subcommittee, thank you for allowing me to share my testimony with you. Do you hear my voice?

Ms. ROS-LEHTINEN. Yes, we can hear you fine. Thank you.

Mr. AL-QAZWINI. Thank you for all the men and women who contribute to the gathering and the composition of the report on Iraq, the *International Religious Freedom Report* on Iraq. I had a chance to look at it just last night and I apologize if I could not make it to Washington, DC since I received the invitation less than 24

hours ago. I have been following you since this morning through the Internet and most of the reports that I heard was talking about human rights abuses for minorities in their countries, while in this case, the case of Iraq, it is totally different.

The majority of the people who are Shia Muslim, and they compose 65 percent of the population of Iraq, are the ones who are living under the dictatorship and tyranny of Saddam Hussein. Thus Iraq stands unique in this regard.

Madam Chair, my name is Mustafa Al-Qazwini, imam of the Islamic Educational Center of Orange County. I am an Iraqi American. I come from a prominent religious and a scholarly family in Iraq. Most of my family members were prosecuted, imprisoned, and executed by Saddam Hussein. Thus we had to flee the country. After fleeing Iraq, I had to live in five different countries until I came to the United States of America in 1994 and I settled here.

The first time I felt I am a human being who can worship God and who can practice his religious beliefs without the fear of persecution, without fear, without intimidation, was when I came to the United States of America. Therefore, I am grateful to God for bringing me here, who made me feel that I am a human being who deserves life.

I read the report. The report is very true and very accurate and very comprehensive on the condition of the various faith communities in Iraq, in particular the Shia Muslims. It really describes in detail the suffering of the Shia Muslim majority in the country and the persecution they go through. But I would like to add several points here which I thought was missing from this report and I would like to share them with you today.

The first point is that the persecution and the repression of the Shia religious institutions and their leadership and the students of the theological seminaries in cities like Najaf and Karbala and other cities had started long before 1991. In fact, the first wave of crackdowns on the Shia faith had begun as early as 1968 with the seizure of power by the Baath Party in Iraq.

For example, I will give you this personal example. My grandfather, Ayatollah Sayed Mohammad Saqdiq Al-Qazwini, was arrested at midnight, just after midnight on April 8, 1980, at the age of 80. He was born at the turn of this century. He was taken to a Baghdad prison. Until this moment we have no news about his fate. We don't know whether he is alive or dead and if he is dead, when, how, where he is buried. We have no information about that.

Also, 14 other religious scholars from my family, the Qazwini family, were imprisoned by the regime of Saddam Hussein over a period of 11 years from 1980 until 1991, all for political reasons. Some were executed by the regime and their execution was confirmed when their bodies were returned to their family members, while others are still unknown. If you go to the Amnesty International report on unresolved cases of disappearances in Iraq since the early 1980s, you will find names of members of my family in that report.

It is also important to note that the Shia ancient shrines and holy places and mausoleums in Najaf and Karbala, which are highly revered and respected by Muslims worldwide, were destroyed by the regime's army. While we see civilized nations preserve and

maintain their ancient sites and heritage, unfortunately Iraq sends its own army with its own tanks and missiles and chemical weapons to destroy the Shias and to destroy the religious ancient sites in southern Iraq. That happened in 1991. Hundreds of Shia women, men, and children who had taken refuge in these shrines were crushed to death, including two of my first cousins. Their names are Ali and Hassan Tawif.

The seizures of public and private libraries that contained thousands of Shia books and manuscripts in the cities of Najaf and Karbala were burnt just as my grandfather when he was arrested on the same day, they came to his house, they took all the books outside the house and they burned the books in daylight, and there are pictures—some of the neighbors took pictures of the books while they were burning in the fire. These are ancient books that my grandfather inherited from his predecessors over a long period of time.

The fourth point. A deliberate campaign to slander, defame, and curse the Shia faith and its followers has been an ongoing publication in the government-owned press and, in particular, the newspaper of Babel, which is a daily newspaper owned and operated by Odey, the oldest son of Saddam Hussein. Keeping in mind that the majority of the population in Iraq, 60 percent or so, are Shia, these newspapers, they slander the Shia. The most recent defamation article appeared in September 2002, last month, which accuses the Shia population of being the descendants of illegitimate marriages, being a faith which legalizes adultery and other shameful accusations. These are part of the things that I found lacking in that report.

Let me say this, Madam Chair, that most Shia people in Iraq are moderate, fair people who follow the peaceful teachings of Islam and they are eagerly waiting and counting the days to see the end of the era of oppression and of brutality in their country.

Ms. ROS-LEHTINEN. Thank you. If you could wrap it up, we would appreciate it.

Mr. AL-QAZWINI. I just finished now. Thank you very much.

Ms. ROS-LEHTINEN. That was a wonderful finish. Thank you, Mr. Al-Qazwini. We appreciate it.

[The prepared statement of Mr. Al-Qazwini follows:]

PREPARED STATEMENT OF SAYED MUSTAFA AL-QAZWINI, FOUNDING IMAM AND  
DIRECTOR, ISLAMIC EDUCATIONAL CENTER OF ORANGE COUNTY

The International Religious Freedom Report on Iraq gives a very accurate and comprehensive report on the conditions of the various faith communities in Iraq. It describes in detail the suffering of the Shia Muslim majority in the country and their prosecution, which they have been experiencing for years. However, there are several points which I would like to make and to add to what has been reported in the article, which I believe is very important to be mentioned:

- 1) The Prosecution and the repression of the Shia religious institutions, their leaderships (*marjeyah*) and students of the theological seminaries in Najaf, Karbala, and other cities had started long before 1991. The first wave of crackdowns on the Shia faith had began as early as 1968 with the seizure of power by the Baath party. For example, my grandfather, Ayatollah Sayed Mohammad Saqdiq al-Qazwini was arrested in April 1980 at the age of 80 and was taken to a Baghdad prison and till today his fate is unknown. Also, fourteen other religious scholars from my family were imprisoned by the regime for political reasons. Some were executed and their execution was con-



firmed when their bodies were returned to family members, while the fate of the others remain unknown.

- 2) It is important to note that the Shia ancient shrines and mausoleums in Najaf and Karbala, which are highly revered by Muslims worldwide, were destroyed by the regimes army. In 1991, hundreds of Shia women, men, and children who had taken refuge in the shrines were crushed to death, including two of my first cousins, Ali and Hassan Tawif.
- 3) The seizures of public and private libraries that contained thousands of Shia books and manuscripts in the cities of Najaf and Karbala were burnt, just as my grandfathers extensive library was also burnt during his arrest in 1980.
- 4) A deliberate campaign to slander, defame, and curse the Shia faith and its followers has been an ongoing publication in the government owned press and in particular the Babel daily newspaper, which is owned by Odey, the oldest son of Saddam Hussein. Keeping in mind that the majority (65%) of the Iraqi people are Shia. The most recent defamation article appeared in September 2002, which accused the Shia of being the descendants of illegitimate marriages, being a faith which legalizes adultery, and other shameful accusations.

These are some of the important points which were missing from the International Religious Freedom Report.

Ms. ROS-LEHTINEN. Mr. Awad had to leave, but in his place from the Council of American-Islamic Relations will be testifying Jason Erb, who is the Director of Governmental Affairs.

**STATEMENT OF JASON ERB, APPEARING ON BEHALF OF  
NIHAD AWAD, EXECUTIVE DIRECTOR, COUNCIL ON AMERICAN-ISLAMIC RELATIONS**

Mr. ERB. Thank you, Madam Chair, for having us come today to talk about this report and also to Members of the Subcommittee. We were asked to come and talk about the International Religious Freedom Report of 2002. I think that this report is a testimony—or is a testament to the concern that the United States has for religious freedom throughout the world. Since the founding of this country, I think the United States has shown enormous tolerance of different religions and religious belief, and certainly Muslims here enjoy freedom to worship and organize that they don't enjoy in many places outside of the United States. Indeed, many Muslims come to the United States precisely for the freedoms that this country offers us.

Also, I would like to state that I think that this Committee has shown an enormous sensitivity to the concerns of Muslims living throughout the world, not only in the comments of the Ambassador but also in the questions of Members of the Subcommittee and the makeup of this last panel. I think that that shows a level of awareness of concerns of Muslims in the world, that that is something new, that hasn't been exhibited to this degree before.

I would like to draw the Subcommittee's attention to a quote by Brezinski in a New York Times editorial that states a concern that I think that American Muslims and Muslims worldwide have concerning our foreign policy right now. The quote reads:

"The rather narrow, almost one-dimensional definition of the terrorist threat favored by the Bush Administration poses the special risk that foreign powers will also seize upon the word 'terrorism' to promote their own agendas, as President Vladimir Putin of Russia, Prime Minister Ariel Sharon of Israel,

Prime Minister Atal Bihari Vajpayee of India and President Jiang Zemin of China are doing. For each of them, the disembodied American definition of the terrorist challenge has been both expedient and convenient.”

I think that the report adequately describes in each of these countries some of the risks that we are facing right now in the war on terrorism, and that is that we are allowing a number of our allies to engage in stepped-up activities of violence and persecution against Muslims under their control under the guise of the war on terrorism, and that the U.S. is muting its criticism of these countries’ activities in a way that it has not done in the past.

I won’t get into details of the human rights records in these different countries. These are well documented in numerous human rights reports from Amnesty International, Human Rights Watch, and local human rights organizations in all of these countries. But it is clear to say, or I think it is fair to say that in each one of the cases, outside observers have noted that in the past year, the U.S. has been silent or has substantially muted its criticism of these countries’ policies under the guise of needing to build support for the war on terrorism.

At the same time, I want to very briefly point to some of the policies that we have enacted here at home because I think that some of these policies have had the effect of undermining our credibility to carry our message of religious tolerance abroad.

Ms. ROS-LEHTINEN. You are off target. You are welcome to continue. Go ahead. Why bash other countries when you can bash the United States? Go right ahead.

Mr. ERB. My intention is not to bash the United States but that there are some similarities between what—actions that are criticized in this report, some of the things that we have done in the past year, and how that undermines our ability to carry out our foreign policy of trying to spread religious diversity.

I understand that there was a disagreement on the Committee earlier. We were brought in under a certain pretext. I don’t mean to add to the disagreement here, but I do want to mention that over the past year that the Muslim community here has faced detention without charge, racial profiling, fingerprinting of Muslim visitors to the United States, increased surveillance of mosques and Muslim religious leaders, not based on criminal activity but based on the fact that they are Muslim; denial of due process to a number of Muslim institutions and the tolerance of anti-Muslim statements from members of the religious community that generally would not be tolerated if they were stated against other religions. And also the fact that this Friday, Members of the House of Representatives will actually be meeting with some of these people; in particular, Reverend Falwell and Reverend Pat Robertson.

I don’t want to bash the United States. As I said before, and I will repeat it again very sincerely, that the United States offers religious freedom to all religions like no other place in the world. There is no basis for comparison between the state of religious practice and belief and freedom here and that abroad. That is absolutely a completely illegitimate kind of comparison. But the fact is that these steps that we are taking also under the guise of security, under the pretext of security, and I think in—kind of, I guess, in

contradiction to the Constitution, does hamper our ability to deliver this message of tolerance, to work with people to ensure that minorities throughout the world are able to enjoy their full rights.

I have brought attention to the Muslim minorities in these countries, but certainly as Members of the Subcommittee have brought up and as members of the panel have brought up, this war on terrorism is allowing a greater degree of persecution of many different religious minorities in many different kinds of countries throughout the world, and our subsuming these issues under our greater concerns for security does hamper our ability to carry out a very active and effective foreign policy geared toward improving the rights of people throughout the world to engage in religious practices and to enjoy their full rights of religious freedom.

With that, I would thank the Chair for her patience in my comments and would close.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Erb.

[The prepared statement of Mr. Awad follows:]

PREPARED STATEMENT OF NIHAD AWAD, EXECUTIVE DIRECTOR, COUNCIL ON AMERICAN-ISLAMIC RELATIONS

Good morning Mr. Chairman and members of the Subcommittee. I am Nihad Awad, Executive Director of the Council on American-Islamic Relations. Thank you for the opportunity to provide you and the Subcommittee with testimony on the International Religious Freedom Report for 2002.

The Council on American-Islamic Relations (CAIR) is one of the nation's largest grassroots advocacy and civil rights organizations for Muslims in the United States. CAIR was founded in 1994 to defend the civil liberties of American Muslims and to provide accurate and balanced information about Islam to the media, policy-makers and the general public.

CAIR also undertakes proactive steps such as sensitivity training and the publication of guides for religious accommodation of Muslims in the workplace, correctional facilities, schools, and in the field of health care. Our organization has worked, and will continue to work, with local, state and federal officials in building a bridge of understanding to the Muslim and Arab American communities.

CAIR works to empower American Muslims by encouraging voter registration, local interfaith dialogue, development of local media relationships and leadership training. Our goal is to encourage American Muslims to take an active and effective role in American public life.

I was invited to speak to you today about the International Religious Freedom Report of 2002. This document is a testament to the importance which the United States places on religious freedom. Since its founding, the United States has been a beacon of religious diversity and tolerance. From the arrival of the first European settlers on the American continent, religious tolerance has been a cornerstone of American government.

Freedom from religious persecution is clearly a major reason that many Muslim immigrants come to the United States today, and, for the most part, the United States has lived up to its well-deserved reputation. At the same time, over the past year ominous signs have appeared that may signal a diminishing of this concern for religious freedom. This is the case within the United States itself and also apparent through some of its policies abroad.

The major source for this decreased concern with religious freedom stems from a number of policy shifts that fall under the category of the "war on terrorism". Like people everywhere, American Muslims were horrified by the attacks of September 11. CAIR and other American Muslim organizations vociferously condemned these attacks and we again reiterate our condemnation here. CAIR and other American Muslim organizations likewise support the effort to bring the perpetrators of those attacks to justice.

But in our reasonable desire to bring the perpetrators of those attacks to justice as a society we are sometimes turning a blind eye to religious discrimination against Muslim minorities living among a number of our allies in the war against terrorism. At the same time, policies we are enacting at home are occasionally chillingly similar to a number of methods of religious discrimination outlined in this report on religious discrimination abroad. In the words of former President Jimmy Carter, "We

have ignored or condoned abuses in nations that support our anti-terrorism effort, while detaining American citizens as 'enemy combatants,' incarcerating them secretly and indefinitely without their being charged with any crime or having the right to legal counsel."

American Muslims enjoy unequalled opportunities to practice and teach their religion. We are blessed in living in a tolerant society with a generally responsive government that does seek to protect the religious rights of all its residents. But to be silent in the face of growing discrimination is to risk losing this hard won liberty. To see what appears to be a declining commitment to religious freedom abroad gives rise to the fear that we may soon see a similar decline in the commitment to religious freedom at home.

Our comments in this report are not meant to draw direct analogies between the persecution of Muslim minorities abroad with the discrimination we sometimes face in America. In short, there is no basis whatsoever for direct comparison. Rather it is to highlight that we must remain ever vigilant about religious discrimination both at home and abroad or suffer a slow erosion of our freedoms and morality.

First, I would like to draw the committee's attention to four countries in particular that highlight our country's apparent reluctance to address religious persecution in our allies. This persecution generally takes the form of an expressed concern about security and terrorism, but generally reflects policies that are highly discriminatory based on the scope or nature of the action. Specifically, we see what is, to quote the Religious Freedom report, "legitimate concern over the destructive and unlawful behavior by a small number of groups . . . employed so indiscriminately that religions are wrongfully stigmatized."

In other words, these countries are using the pretext of security to engage in widespread abuses of Muslim communities based on the violent actions of a relatively small number of individuals. These countries are Russia, China, India and Israel.

As Zbigniew Brzezinski's stated in a New York Times editorial, "The rather narrow, almost one-dimensional definition of the terrorist threat favored by the Bush administration poses the special risk that foreign powers will also seize upon the word 'terrorism' to promote their own agendas, as President Vladimir Putin of Russia, Prime Minister Ariel Sharon of Israel, Prime Minister Atal Bihari Vajpayee of India and President Jiang Zemin of China are doing. For each of them the disembodied American definition of the terrorist challenge has been both expedient and convenient." It is this danger we seek to highlight in the following section of testimony.

#### RUSSIA

Under the pretext of security, the Muslims of Chechnya continue to face systematic intimidation, detention, torture, execution and "disappearances." According to numerous human rights and development organizations, Russian forces regularly harass civilians at checkpoints, often extorting money by threatening violence or kidnapping those accompanying travelers. Reports show that such abuses have been on the rise since 9-11.

Reports also indicate that despite the end of most fighting in Chechnya close to two years ago, civilians still face regular detention, usually without charge, and often in makeshift detention centers or holding areas that do not have adequate sanitary facilities. Those lucky enough to be released from detention often complain of mistreatment, including beatings, torture with various devices and exposure.

There are also widespread reports of assault, battery and rape of women by Russian soldiers. Women speak of being assaulted by groups of soldiers during "security" sweeps and frequently encounter resistance from authorities when they try to report incidences of sexual violence. Although thousands of cases of disappearances and abuse have been filed with Russian authorities, few of these are taken seriously. Soldiers and units involved in the alleged crimes are rarely punished.

The war in Chechnya has led to a number of human rights violations in major Russian cities. Fed by media stereotypes and the war in Chechnya, Muslims are often portrayed as violent fanatics. Chechens, Afghans and other "dark skinned" individuals frequently complain of police intimidation and public suspicion because they "look Muslim".

According to Amnesty International, "Police and other law enforcement officials routinely subject racial and ethnic minorities to harassment and intimidation and often respond with indifference to racist attacks. Victims of racist attacks frequently complain that law enforcement officials are reluctant to register attacks as racist or fail to understand the serious implications of racially-motivated violence. Police often advise the victims to report the attack as "hooliganism."

Human rights reports state that many Muslims face unnecessary obstacles in obtaining licenses for religious schools and Muslim leaders complain that local officials frequently block permission to build mosques. While these abuses continue to occur according to the Moscow Helsinki Group, the US has become “silent” on Chechnya since Russia joined the international war on terrorism

#### CHINA

China is another area in which the US has muted its criticism of restrictions on religious freedom, especially in the western part of China which is home to the Uighurs, a Turkic-Muslim minority. This has occurred at a time which there has been new anti-terrorism provisions in Chinese law, although hardly any “terrorist” acts have been committed in the region over the past few years.

What is clearly happening is that China is using the pretext of the “war on terrorism” and Washington’s willingness to look the other way while China counters widespread unrest and discontent at Chinese occupation and policies in this majority Muslim state. China’s strategy of annexing the mineral-rich province is to repress all peaceful dissent by labeling it separatism and alleging links to international terrorism, despite no evidence of such claims.

Like millions of Tibetans, Uighurs resist the idea that they are their land belongs to China. Since the Chinese takeover in 1949, many thousands of Uighurs have been killed and more have been jailed. According to Amnesty International, “over the past ten years, the authorities have detained tens of thousands of people, held many of them in complete secrecy, preventing all independent investigation into the cases, while periodically releasing selective information about a few of those who have been prosecuted. Many of those prosecuted have been held incommunicado for months on end, subjected to torture, and sentenced after grossly unfair trials, most of these either held in secret or in front of large crowds during “mass sentencing rallies”. In this context, there are reasons to doubt the credibility of the government’s information about those it accuses of involvement in “terrorist” activity.

Since September 11, human rights and media organizations have reported stepped up surveillance of local religious and folk customs, including weddings and funerals. There are a number reports that accuse the Chinese authorities of arresting religious teachers, students and worshipers as a means of general harassment and intimidation.

Most significantly, the detention and surveillance of pro-independence Uighur activists have increased after the September 11 terrorist attacks on the U.S. There are frequent mass arrests and public executions are carried out frequently. Many religious leaders have been arrested for being “unpatriotic”.

#### INDIA

Another US ally that frequently escapes censure since the beginning of the war on terrorism is India. I would like to focus my comments today on the situation in the state of Gujarat.

In March 2002, right wing Hindu extremists went on a rampage in the Indian State of Gujarat killing over 2000 Muslims, gang raping minor girls and women, desecrating Mosques and monuments of Muslim cultural heritage and completely destroying the socio-economic infrastructure of the minority Muslim community in the State of Gujarat. In all, over 110,000 people, mostly Muslims have fled their homes and are living in squalid refugee camps. Most have not been resettled and complain of inadequate treatment by the government. The loss of Muslim property is estimated to be \$500 million.

Many individuals in the Gujarat State government were involved in the pogrom which was itself meticulously planned and executed. Muslim houses and businesses were identified ahead of time from the State’s voter lists and destroyed with precision. Leaders of the ruling party (BJP) were seen directing the mobs and orchestrating the massacres. The law enforcement agencies were given orders not to interfere with the massacres. In many instances, the police was seen conniving with the rampaging mobs. Cooking gas cylinders, which went in short supply for weeks before the riots, emerged in the hands of the “mobs” and were used extensively to destroy Mosques and Muslim property.

Despite the public outcry, both the Central and State governments run by BJP, the political wing of Sangh Parivar, have actively contributed to the paralysis of judicial and law enforcement agencies in Gujarat. The Chief Minister of Gujarat justified the pogroms on various accounts while the various organs of the Hindu nationalists openly boasted of repeating the pogroms in other states. The state government has refused to contribute to the relief and rehabilitation efforts.

While this carnage elicited mediocre reactions of condemnation from U.K., the European Union and Japan, the conspicuous silence of the US administration and congress on this issue was a disappointment.

#### ISRAEL

Israel is perhaps the closest ally of the United States that has used the war on terrorism as a cover for massive and widespread abuses of civil rights of a largely Muslim population.

In Israel proper, Muslims and Christians have been granted citizenship since the 1960's, but still suffer from discrimination based on religion. Most of the land of Israel is state owned and restricted for use by Jewish citizens of the state. There are numerous "Jewish only" neighborhoods, where the rights of Muslims and Christians to purchase land or establish homes is prohibited and Muslim and Christian majority towns and neighborhoods suffer from well documented discrimination in the disbursement of state assistance. For example, only 2 percent of the Ministry of Religious Affairs budget goes to the non-Jewish sector. This disparity is especially apparent in the areas of infrastructure, employment and education.

In the West Bank and Gaza, Israel has used the war on terrorism to step up its brutal suppression on indigenous independence movements, composed of Muslim and Christian Arabs. Israeli, Palestinian and American human rights organizations have documented numerous cases of Israeli soldiers firing live ammunition at children and tanks firing at non-military targets, like cars and homes.

Israeli forces frequently employ weapons that are far out of proportion to the threat and that endanger the lives of countless innocent non-combatants, a tactic that has increased markedly in the past year. Two standout cases are the use of a one-ton bomb in a crowded residential neighborhood to assassinate an alleged militant, and Monday's firing of a rocket into a crowd, resulting in 13 deaths and 80 related injuries.

This disproportionate use of force also applies to Israel's non-Jewish citizens. For example, Israeli police responded to peaceful Israeli-Arab demonstrations two years ago with deadly force, resulting in the deaths of 13 Palestinian citizens of Israel. Similar demonstrations by Jewish Israeli citizens do not elicit such a violent response from authorities.

In the past year American criticism of such actions has gone from muted to non-existent, another casualty of the war on terrorism.

#### ANALYSIS

In all of these cases the war on terrorism has initiated willingness on the part of the United States to ignore or downplay major persecution of religious minorities. In all of these cases the United States is in a position to positively impact the human rights situation of religious minorities, but chooses instead to ignore the situation. These countries have nominally offered to cooperate on issues of security and then taken that as a blank check from the United States to increase their persecution of religious minorities.

America should not allow its concern for the violent few to diminish its longstanding resolve to protect the rights of the many. America's moral standing in the world rests upon this commitment to universal human rights. Our failure to live up to this reputation hampers our ability to fight the war on terrorism.

I would now like to briefly turn to the domestic front to show that, while the US does not engage in violent persecution of its religious minorities, policies and laws enacted since September 11 have lead to increased discrimination against its Muslim minority. These policies too show a decreased concern or commitment to principles of religious freedom and individual responsibility that underpin the American political and legal systems.

#### IN THE US: DETAINEES

A year after the 9-11 attacks, a significant number of non-U.S. nationals originally from Arab and Muslim countries remain in detention. Most of these people have neither been linked to the attacks nor charged with any criminal offenses. The US has also started rounding up 6000 Muslim absconders out of a total of 300,000 in the U.S. Government critics view the selective enforcement of immigration law on persons from Muslim-majority countries as a form of bias.

The detentions have been surrounded by secrecy, with the Justice Department refusing to provide names or locations of those detained. Many detainees have not been informed of the reasons of their detention, have not had prompt access to a lawyer and have been treated as if they were guilty until proven innocent. Many of these detainees were held in solitary confinement and 23-hour a day lockdown

and subject to closed hearings. Such treatment for immigration violators is unprecedented in recent American history.

The lengthy detentions have been criticized in particular for their violation of the Constitution's Sixth Amendment, which states: "... the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him."

In addition to this group of detainees, there were also an unidentified number of American Muslims taken into custody and interrogated for a short period of time, days or hours, most based on guilt by association. Most of these were legal immigrants, but some were citizens. Some were interrogated in their homes and places of work or business, leading to firings and intense suspicion from neighbors. Some of the people held for such questioning were asked about their practice of Islam, how often they prayed, if they attended Friday prayers and what they thought about various religious concepts (particularly jihad). Some were also questioned about the mosque they attended and the views of their imams.

In November 2001, Attorney General John Ashcroft announced that the government would conduct "voluntary" interviews with 5,000 legal Muslim foreign nationals. When this was completed earlier this year, Mr. Ashcroft announced that an additional 3,000 people of the same category of individuals would next be sought. The attorney general said the government learned a great deal from the initial interviews, but little was known as to how that information related to the investigation of the 9-11 attacks or any suspected terrorists. News reports suggested that fewer than 20 of the initial interviewees were arrested, all on charges unrelated to terrorism. Again the interviews included questions about religious practice and beliefs.

In November 2001, U.S. Department of State officials announced the introduction of a 20-day waiting period for men from predominately Muslim nations who apply for visas. The new policy reportedly applied to males aged 18 to 45 for the purpose of completing a background check based on answers to a special questionnaire the applicants must fill out. The list of countries where the new policy will take effect includes: Afghanistan, Algeria, Bahrain, Djibouti, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Morocco, Oman, Pakistan, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, Turkey, the United Arab Emirates and Yemen. Since that time visa applicants from these countries report up to a six month wait for visas. The Department of Justice has also announced it will begin fingerprinting and photographing all immigrants from unspecified, but widely assumed to be Muslim, countries.

#### INCREASED SURVEILLANCE

The USA PATRIOT Act gives the executive branch the power to detain immigrant suspects for lengthy periods of time, sometimes indefinitely. Critics have also pointed out that the Act allows the executive branch to circumvent the Fourth Amendment's requirement of probable cause when conducting wiretaps and searches. Under the current law, critics say, persons and organizations searched could be U.S. citizens who are not suspected of any wrongdoing. The law permits personal or business records to be seized for an investigation without prior evidence of connection to terrorism or criminal activity. The government only needs to claim that the seizure is designed to look for such evidence.

The new domestic guidelines allow the FBI to use informants and undercover agents to enter houses of worship and other public gatherings without suspicion of involvement in domestic or international terrorism. It allows investigations that are not based on any credible evidence of criminal intent or wrongdoing and without any judicial oversight.

Using agents on broad fishing expeditions will be a waste of resources, and distract agents from discovering and following leads of actual criminal behavior. The past has shown this kind of domestic political spying can easily lead into disruption and disinformation campaigns against legitimate, peaceful domestic political activism and organizing, as happened with Martin Luther King and the CISPES investigations of churches opposed to US policy in Central America. Media outlets are already reporting on stepped up FBI surveillance of mosques without probable cause or even articulable suspicion.

#### CLOSING CHARITIES

Three Muslim charities have been effectively shut down since December 2001 and are now engaged in a legal battle against the federal government. No criminal charges have been filed against any of the three charities. These closures have had

a wide impact; roughly 50,000 donors were affected by the closures. Donors view such organizations as essential to the ability of Muslims to practice the religious duty of zakat (alms giving), a pillar of their faith. Many Muslims believe shutting down religious charities because of suspicion that some of its associates or recipients have extreme political views is a form of profiling that is discriminatory by nature.

Those who oppose the government closure of the charities believe the government violated the Fourth Amendment of the Bill of Rights, which states: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause."

#### RAIDS ON BUSINESSES

On March 20, 2002, federal agents raided a number of Muslim offices and homes in Virginia and Georgia. A U.S. magistrate judge signed a search warrant indicating that a U.S. senior special agent had reason to believe that the raided homes and businesses concealed unnamed evidence of "the provision of material support for foreign terrorist organizations. . . ." Targets of the raids included respected leaders and organizations in the American Muslim community such as the International Institute of Islamic Thought, which conducts research on Islamic reform issues, and the Graduate School of Islamic Social Sciences, which has trained chaplains serving in the U.S. military.

Those whose homes were targeted said frightened mothers and daughters were handcuffed for hours and, in the case of a woman and her teenage daughter, were refused their request to wear their headscarves. Affidavits that led to the raids were sealed and thus the targeted individuals and organizations do not know what led the government to suspect they had any connection to terrorism. Again, no criminal charges were filed and no evidence has been produced to back up the government's actions.

#### PASSENGER PROFILING

Muslims have complained in the past of the discriminatory nature of singling people out because of complexion and religious appearance or any other signs of faith and ethnicity. But the experiences of Muslims in the post-9-11 climate have been unmatched by any previous period. Persons of Muslim or Arab appearance were not just pulled out of passenger lines, they were pulled from planes after clearing security based on their appearance and claim they have been needlessly harassed and treated rudely.

#### TOLERANCE OF STEREOTYPING

Numerous religious leaders, such as Pat Robertson, Jerry Falwell and Franklin Graham have made numerous comments that are highly inflammatory. For example, Rev. Jerry Falwell called the Prophet Muhammad, the ultimate moral example for Muslims worldwide, a "terrorist." Rev. Falwell's defamatory comments followed similar smears against the Prophet Muhammad and Islam by other evangelical spokesmen such as Rev. Franklin Graham and Rev. Pat Robertson.

Rev. Graham called Islam a "very evil and wicked religion" and said the Quran, Islam's revealed text, "preaches violence." Pat Robertson said Islam is a "monumental scam" and claimed the prophet Muhammad was "an absolute wild-eyed fanatic . . . a robber and brigand . . . a killer." Robertson's 700-Club regularly spews highly inflammatory programs that promote bigotry against Muslims. While some media outlets have condemned this bigotry, most politicians and religious leaders have failed to stand up and condemn these outrageous sentiments.

Again, while this discrimination is not at all comparable to religious persecution abroad, it does signify changes in our treatment of certain religious minorities. What is alarming is the selective use of detention without charge and legal representation, closed hearings, government and public intimidation, surveillance of religious leaders and institutions without reasonable cause, and stigmatization of Muslim through the use of public profiling and general denial of due process in cases officially stated, but without evidence, of ties to terrorism. In all cases a security pretext used for discrimination against Muslim minority, where the fact of being Muslim, or observing basic Islamic practices results in official suspicion and sometimes mistreatment, based on the actions and ideology of a few.

The government response in these cases has not been monolithic. The Civil Rights Unit and Community Relations Unit of the Justice Department have been vigorous in conducting "know your rights seminars". A number of public officials have spoken out against the discriminatory practices, but often to little effect. The FBI has been tireless in its pursuit of hate crimes and local law enforcement has frequently done



an outstanding job of protecting the Muslim community from a greater backlash. Courts have repeatedly struck down Justice Department policies, only to have them appealed. But in an avalanche of selectively applied and often highly public laws and policies that target the Muslim community, these actions cannot counterbalance the effect on public perception that Muslims as a group are guilty of terrorism.

As a nation we can't allow the acts of a few to cause us to stereotype and stigmatize an entire religious group and weaken our commitment to civil liberties, especially freedom of religion. To do so is to destroy the freedoms that we so greatly cherish and hand victory to those who wish to sow terror in our land.

We therefore ask that:

1. The Bush Administration make efforts to ensure the war on terrorism is not exploited to diminish the civil or human rights of minorities in any country by taking steps such as tying aid and cooperation to improvements in human rights.
2. That the Bush Administration heed the call of Congress and lower courts for greater openness in its policies towards American Muslims, especially detainees.
3. That laws not be applied selectively to American Muslims or applied in such a way as to reinforce or increase public stereotyping.
4. The FBI initiate investigations only when there is credible suspicion of criminal activity or intent. This will help to avoid the waste of resources that will occur in untargeted fishing expeditions.
5. That elected leaders and Administration officials state clearly that religious bigotry is unacceptable, and back this up in their enforcement of laws.

Ms. ROS-LEHTINEN. Thank you to all of the panelists who are with us, including our panelist through the telephone. I would like to recognize Mr. Tancredo to begin the round of questioning.

Mr. TANCREDO. Thank you, Madam Chairman.

Mr. Erb, when you use the term "pretext" in connection with security and again use the term "guise of security,"—we are doing what we were doing under the pretext of security—is it your opinion, your statement here today, that the actions taken by the Government of the United States, with which you disagree, apparently, were done as an attack on religion as opposed to a concern about security? I mean "pretext" and "guise" have a certain connotation. I just wondered if you could clarify that.

Mr. ERB. Certainly. That is a very fair question. What I would like to do is refer to the religious freedom report which states that one form of discrimination is that a legitimate concern over the destructive and unlawful behavior of a small number of groups is employed indiscriminately or so indiscriminately that religions are wrongfully stigmatized. I do think that that is what is happening to the Muslim community here.

I do not want to dwell on that point because that is not the purpose. The purpose of bringing it up is to show that it is undermining our ability—it is undermining our message. That is my point.

Mr. TANCREDO. I understand that point. I am saying when you use terms like that, it does color the discussion to a certain extent because it implies, even in the reference that you make, that the Government of the United States, similar to governments around the world, who in fact as a policy do what you have just described. It is not for the purpose of any sort of national security in other countries. It is for the purpose to discriminate against certain religious activities. I must tell you, I do not believe that that is the motivation.

Mr. ERB. That is a fair distinction to make. I thank you for the clarification.

Mr. TANCREDO. I would just wonder if you could help me think through a possibility here. Because of the difficulty with which we are faced in trying to navigate these very, very dangerous waters, of on the one hand protect the United States, the people and the property, the citizens of the country and, on the other hand, assure religious liberties remain intact, this is the ultimate dilemma every country I think faces.

Certainly we are faced in the Congress of the United States almost daily with the kinds of decisions we are forced to make. But I really do face a dilemma, because on the one hand it is, of course, a religion. On the other hand there are aspects of it, as you certainly know, that we are concerned about.

If an imam, for instance, were to say in a mosque that we cannot rest until the flag of Islam flies over the Capitol Dome of the United States, that statement made in any other situation it seems to me could actually be considered treasonous. You are saying essentially that you want the violent overthrow of the government. But it is because if it were said by an imam in a mosque—which, by the way, it is claimed to have been—what should we do about something like that without again wrestling with the same dilemma that you face?

Mr. ERB. Sure. Again I am very reluctant to dwell on the domestic issue here, but since you have brought it up.

Mr. TANCREDO. Well, you brought it up.

Mr. ERB. I think I would point to the number of people in this country that say that the Bible is our constitution and that they want a Christian state, and that that is not necessarily seen as implying a violent overthrow of the government nor is it seen as the same degree of a threat as the previous statement was. That statement that you say is something that makes me very uncomfortable also. I do not agree with it. But I would again note that there are other people from other religions in this country that make similar statements.

Mr. TANCREDO. Again, I guess in context I would say that those statements can be viewed individually and separated out on the basis of the actions that support them, and I really don't—I can't think of any actions right offhand that would support you viewing the statement by somebody with regard to the Bible as being one connected to any violent activity, at least in the recent past.

But let me go on to something else here quickly because we are running out of time. I just wonder, starting here, if you could give advice—and the Ambassador is still here—he is back there and patiently—and I appreciate very much his willingness to stay with us here. But if you could say one thing about the report that you wish were added to it in respect to your individual countries and concerns, what would you say in the time we have left? Anybody that wants to take a shot at that. If there was one thing you wanted to say you want added to this report about your country or your concern. Mr. Raj?

Mr. RAJ. This report?

Mr. TANCREDO. Yes.

Mr. RAJ. About this report. I am very disappointed when I look at this report because it is covered—U.S. Department of State has prepared this report. But a very limited example and perhaps such example is not—so far it is not known to us in the history that about a million people were going to reject Hinduism and that freedom was curtailed and that had not been incorporated in the report and that has not been attended to. It is not even happening in India, has been quoted, has been incorporated.

I will address the question to the Chairperson, to you, to please do incorporate problems of Dalits, problems of how the freedom is denied in every walk of life. Last year we told how that was denied by the central government. Of course, in fact the previous speaker, the Honorable Ambassador, also said that the central government is cooperating. But let me tell you in our case, it is the central government who did not allow it to happen. So central government is not different from the state governments. If the central government wanted, then Mr. Narendra Modi, Chief Minister of Gujarat, would have been cited. The Honorable Prime Minister of my great country, Mr. Atal Behari Vajpayee, last year while speaking on some occasion, he said that Christianity is good. He said the spread of Christianity is good. So far as he brought up Christianity to serve the poorest concerned, it is good, excellent, but conversion is bad. The statement by the Prime Minister of India contributed to the spirit of the Indian constitution. So please do incorporate Dalit problems, how Dalits are denied.

Ms. ROS-LEHTINEN. I don't know if the gentleman on the telephone would like to say something, if he is still with us, about the one recommendation that he would make.

Mr. AL-QAZWINI. I don't know whether the report would also recommend taking action. I am not really very familiar with that. This is the first time I participated in this session. But all I can tell you is that when I speak to my people in Iraq, they are waiting for the liberation of Iraq, and I am happy that we are discussing this on a day that the Congress are voting on the resolution on Iraq. We have to see an end to this unique brutality in the history of mankind which is taking place in Iraq against all the people, not only the Shia but all religious people, all religious faiths.

Mr. TANCREDO. Thank you.

Mr. SIDIK. The report regarding East Turkistan or Shinjam, which we call the Uyghurtaneous region. I would like to add one thing, is to release all the Uyghur religious prisoners, and stop demonizing all the Uyghur Muslims as terrorists, extremists and religious fundamentalists, and allow the Uyghurs to pray in the mosques and build the mosques and teach Islam to their children. Thank you.

Mr. TANCREDO. Thank you.

Mr. AL-QAZWINI. I would like to add would be that unless and until the rights of Ahmadis are addressed fully in Pakistan, I do not believe that any of the minority will be safe. If you go back in the history of Pakistan, most of the violent acts that have been happening, they started since 1974 when Pakistan made the—change the Constitution. That opened the door for violent people to take out its actions, and they have been doing this against Christians, against the Shi'ites. So until you address the basic questions,

until you address this law, they are going to come back again and again.

Mr. TANCREDO. Thank you Madam Chairman for indulging me.

Ms. ROS-LEHTINEN. Thank you. Mr. Pitts.

Mr. PITTS. Thank you, Madam Chair. Mr. Raj, just to clarify what you stated earlier, you would say that the position of our State Department, the U.S. State Department, assessment that the violence in Gujarat was not only instigated at the state level, but also at the central government level?

Mr. RAJ. Yes. Because the same party is ruling in Gujarat.

Mr. PITTS. Okay. I just wanted to clarify that. Let me ask you to elaborate on the definition of devadasis, servant of God. What are the ages of the girls when forced in to this service, as well as how are they chosen, and what would happen if a girl or a family refused to become a devadasis.

Mr. RAJ. The devadasis problems are age old, as we know, the history of Hinduism. And the Hindu priests in the temples are special places. They have—they do sexual—they have a sexual relation—some of the servants and those who are attending to. So the daughters and sons bonded from them are called devadasis.

Society does not give them dignity and respect on one hand. But, on the other hand, what is most surprising is that it is—they are byproduct of Hinduism, a religion which is supposed to give dignity, respect, love and affection, but has given hatred, social alienation, degradation of human beings.

Mr. PITTS. Could you elaborate? You are a leader among the Dalits, 300 million people in India are Dalits. What are some of the examples, if you could elaborate, of dehumanizing of Dalits in Tamil Nadu and other places in India that you mentioned.

Mr. RAJ. Say, for example, social, economic safeguards which are incorporated in the Constitution, are rights which are meant, which are—part of the constitution to uplift the Dalits, to improve their situation.

Those rights are not implemented. Number one, in Goldman, there are officials that imply discrimination. Reports are explained. And, number 3, they have been given land by the government, but they are not allowed to take possession by the uri Puri caste, they don't allow them to have land for cultivation.

Then, at a different time, like I told—I mentioned that they cannot use the same public play forms, like using the water from the same pond or the same places. And, of course, if they tried to assert themselves, they are labeled—they are murdered, their women are raped, of course for enjoyment of upper class. They enjoy.

So, discrimination, it is there. In religion, in politics, in society, in educational institutions, in schools. In schools the children are beaten if they are Dalit children, students, belonging to the Dalit community, they are beaten up, they are made to sit in the rear.

These things have happened very often. Then there are many places where their houses were burned down. 200, 300, sometimes they were killed. They were fighting for the right, because, if they live like—they assert, I will give an instance, a lady wanted to enter the temple 6 months back. She was killed. She could not go in.

Mr. PITTS. How has the government of India responded to the statements of His Holiness, the Shankarcharya, the Hindu Pope, I guess, that—he said that Hinduism does not support the attacks that these Hindu extremists has carried out. How has the government of India responded to that, or the BJP?

Mr. RAJ. What did he say?

Mr. PITTS. He said that Hinduism does not support these extremist attacks carried out by some Hindu extremists.

Mr. RAJ. He is a liar of the first order. Hinduism, as a religion, the basic essence of Hinduism is to deny the freedom and human rights of majority of the people. It is an essence of—it is background of religion that it is not tolerant, it is the most intolerant religion in the world. It does not tolerate the lower classes, it does not tolerate Christians, Muslims or because the Hindu gods, as you will find, they are all fighting, taking women, they are all involved in violence.

I will give an example. The ideal god of Hinduism is Lord Ram. Lord Ram, once he came to know that a Dalit priest was worshipping, he dared to worship, then the Lord Ram killed him. He beheaded him. The only guilt—his guilt was that being a Dalit. How could he dare to worship? So he was denied. It is absolutely false, hypocritical. And so far no, not—not even a single Dalit, even middle class, have become Hindu priest, of any temple in India, any temple in India.

It is most intolerant to its own people. Then what will happen, what are they doing? What will be doing with the Christians and Muslims?

Mr. PITTS. Madam Chair, I have one other question. Mr. Sidik, why do you believe the Chinese government decided to arrest and imprison Ribiah, Cardir and your brother and others who peacefully practiced their religious beliefs?

And maybe you have recommendations as to what the United States Government should do in regard to these cases.

The INTERPRETER. He is saying because we don't have our own freedom, China sees us more like alien group, different culture, we believe in Islam, different religion. So China tries to control us and arrest even peaceful people like his younger brother.

And only when we have our freedom, those people can become free. I think he hasn't answered the second part of your question.

He is saying like America, the United States Government should take a very proactive approach, press China, let the Chinese government understand that the United States Government is extremely concerned with the situation of Uyghurs. Even though they are peacefully protesting against China, they end up in jail for many years. And press the Chinese government to release all of the religious and the political Uyghurs for their peaceful opposition to the Chinese government. Only then is there some kind of result. Otherwise they remain in jail for many years.

Mr. PITTS. Thank you, Madam Chairman.

Ms. ROS-LEHTINEN. Thank you, Mr. Pitts.

Mr. Erb, what do you and the institute that you represent think of the egregious violations by the Government of Saudi Arabia, Pakistan, the Iraqi regime and the Iranian regime?

Mr. ERB. What we did for this was to look in countries where there are Muslim minorities. As we are Muslim minorities living in this country, we looked to countries that had Muslim minorities in them. That is the basis of what we stated in this report.

I don't know if there is an official.

Ms. ROS-LEHTINEN. Your institute has nothing to say about violations in these countries?

Mr. ERB. I don't think there is an official position that we have. We are really primarily a domestic organization. That is really what we focus our work on, the concerns of the community here, and that is not a concern that is regularly posed to us.

Ms. ROS-LEHTINEN. But for the witnesses who are here today, many of them are Muslim victims, religious persecution, some of them at the hands of fellow Muslims and these violator governments, you have no statement whatsoever about the practices of—

Mr. ERB. I am happy to give a personal opinion about that. But I can't speak for the organization on that right now, because the organization doesn't have a position. It is not a well articulated or thought out position on these issues. We respond to—

Ms. ROS-LEHTINEN [continuing]. Domestic matters. It is the same issue that Ms. McKinney always brings up, that she is concerned about the violations in the U.S.

And as we pointed out, this is an International Relations Subcommittee on the violations of human rights internationally. But I guess your council has nothing to say about what goes on in these countries and how they treat their people?

Mr. ERB. Our focus again is basically civil rights in the United States.

Ms. ROS-LEHTINEN. Great. Thanks.

Mr. ERB. We respond to the concerns that are voiced to us from the Muslim community here.

Ms. ROS-LEHTINEN. I am sure these victims appreciate that very much.

Mr. ERB. I would be glad to make a personal statement on these issues.

Ms. ROS-LEHTINEN. No. Thank you.

Mr. Ahmad, the report on Pakistan states that many religious and community leaders reported that a small minority of extremists account for the vast majority of violent acts against religious minorities. Do you agree with this assessment, and please elaborate on the Pakistani government's role in supporting or creating an environment that perpetuates violence against religious minorities.

Mr. AL-QAZWINI. Madam Chairperson, as I mentioned earlier in my presentation, the culture that has been created in Pakistan is certainly detrimental to the minorities. It is detrimental to Muslims, like the Shi'ites. And the violence that has been happening, specifically, example I will give you of the Shi'ite doctors being killed in Karachi, these things would not have happened had these bonds in the culture not been created.

And we are not here to specifically just criticize the present government. It is the previous governments that have, particularly starting from General Zia ul-Haq that created this environment.

Ms. ROS-LEHTINEN. Thank you. And we have to get back to the Floor this afternoon. But I wanted to thank the Ambassador-at-Large for International Religious Freedom for staying with us. We appreciate your work. We thank all of the panelists, most especially the victims who appeared before us today. Thank you for sharing your stories with us. And we will do all we can to help you internationally fight this war against religious intolerance.

And we thank the witness by phone as well. Thank you. The Subcommittee is now adjourned.

[Whereupon, at 5:15 p.m., the Subcommittee was adjourned.]





## A P P E N D I X

---

### MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF MARY BETH MARKEY, EXECUTIVE DIRECTOR,  
INTERNATIONAL CAMPAIGN FOR TIBET

The International Campaign for Tibet (ICT) commends the Committee for its continued vigilance on religious freedom in Tibet. ICT especially notes the Committee's ongoing efforts to highlight the persistent practices of Chinese officials at all levels to deny freedom of religious practice to the Tibetan people. Religious persecution in Tibet is one of the gravest threats to the Tibetan people and their way of life. Through both official policies and unofficial coercion, the Chinese government compels Tibetans to either abandon their culture and religion or live on the economic and social margins of present-day Tibet. This is especially true for educated, upwardly mobile Tibetans who cannot get ahead economically unless they adapt themselves to the atheist policies of the Communist Party. We applaud the efforts of the Committee to reinforce the importance of religious freedom in Tibet, and encourage you to continue your efforts to raise these concerns with Chinese officials.

ICT appreciates this opportunity to comment on the Tibet section of the Annual Report on International Religious Freedom for 2002. As in the past, the Report expresses concerns about the status of Gedhun Choekyi Nyima, the 11th reincarnation of the Panchen Lama, his family, and Chadrel Rinpoche, the former abbot of Tashi Lhunpo monastery who headed the Panchen Lama selection process. The Chinese government has repeatedly failed to provide concrete information concerning the whereabouts or the conditions of the Panchen Lama and his family since their abduction in 1995. Since Chadrel Rinpoche's alleged release from detention in late 2001, no one in his family or Tashi Lhunpo monastery has seen nor heard from him. There have been credible reports that Chadrel Rinpoche is under some form of detention, and Chinese authorities have refused to provide any information concerning his location or well-being.

ICT therefore urges the Commission on International Religious Freedom, together with other independent commissions whose mandate encompasses dealings with China, and the relevant bureaus and officials within the Department of State, to make every effort to: work with other concerned governments to gain access to the Panchen Lama, his family, and Chadrel Rinpoche by independent monitors, such as the International Committee of the Red Cross or appropriate representatives of the United Nations; raise the issue of these disappearances in all official meetings with the Chinese government; consistently request that the Chinese government provide concrete, verifiable information concerning the whereabouts, well-being and legal status of the Panchen Lama and his family; and insist that the Chinese government provide information concerning the whereabouts of Chadrel Rinpoche and explain why he is not being allowed to return to Tashi Lhunpo Monastery.

ICT notes with concern the equivocal and variable language the Department of State and other units of the U.S. government use when referencing both the recognized Panchen Lama, Gedhun Choekyi Nyima, and the other child whom the Chinese government has attempted to put forward as their selection as the Panchen Lama. ICT encourages the House International Relations Committee to work with the Department of State to establish clear guidelines for accurately referencing these two children, and that such language should reflect the U.S. government's recognition of the unique and exclusive right of the Tibetan Buddhist religious authorities, particularly His Holiness the Dalai Lama, to manage the internal affairs of their religious practice, including the selection process for the reincarnations of high lamas. To underscore, this is an area where the officially atheist Chinese Communist Party has no legitimate authority.

Finally, ICT wishes to express its concerns regarding the framework that is used by the Department of State in responding to the congressional mandate for separate reporting on Tibet, including in this Report. The Department's framework, spelled out as an introduction to the Tibet section, limits the discussion of events and conditions impacting Tibetans to a geographic area on the Tibetan Plateau designated by China as the Tibet Autonomous Region (TAR). This area approximates the historic Tibetan provinces of U and Tse, and is referred to as "Tibet" by the Chinese government. However, at least half of all ethnic Tibetans reside outside the boundaries of the TAR in twelve counties and prefectures additionally designated as "Tibetan Autonomous" by Beijing but which are separated administratively from the TAR.

As the Report itself notes, there are more than twice as many Tibetan monks and nuns living outside the TAR than there are within the TAR. In applying its tortured framework, the Department fails to present a comprehensive and authoritative account of religious restrictions suffered by Tibetans because of their common allegiance to the tenets of Tibetan Buddhism and the leadership of the Dalai Lama. The Department's current practice in reporting on Tibet leads to a confusing and incomplete picture of religious persecution and other human rights abuses directed toward Tibetans living under Chinese occupation.

Congressional intent regarding Tibet reporting was that all Tibetan autonomous areas be covered in a separate section on Tibet, pursuant to Section 536(b) of Public Law 103-236. ICT urges the Committee to use its authority to insist that the Department adopt a reporting framework that is consistent with congressional intent, as well as common sense. I attach for the Committee's reference a February 12, 2002 letter to Assistant Secretary Lorne Craner from Stephen Rickard, who represented Senator Moynihan on the Senate Foreign Relations Committee when this legislation was crafted, and request that this letter also be included in the record as part of ICT's statement.

---

PREPARED STATEMENT OF JOSEPH K. GRIEBOSKI, PRESIDENT, INSTITUTE ON RELIGION  
AND PUBLIC POLICY

In the four years since the unanimous passage by Congress of the International Religious Freedom Act in 1998, the state of freedom of conscience around the globe has not improved, but has actually worsened.

This year alone has brought the legislative discrimination of religious minorities at the hands of national governments in several countries; exportation of dangerous anti-religious legislation; attempts to bolster legally the status of national religions at the expense of other faiths; government-created atmospheres of religious intolerance which lead to societal and community violence against religious minorities. These are just a few of the examples of the rampant disregard growing globally for the rights of religious believers at the hands of governments and with the complicity of religious leaders.

While the State Department's annual Report on International Religious Freedom accurately portrays the generalities and basic facts with regard to the status of freedom of conscience globally, it fails to indicate the more subtle realities of the impact of violations of freedom of conscience on national and regional security, refugees, and on overall international human rights standards.

For example, the Executive Summary states, "Some democratic states in Western Europe have undertaken policies resulting in the stigmatization of minority religions, the result of identifying them indiscriminately and often inaccurately with dangerous 'sects' or 'cults.'" These practices are particularly troubling in that other nations struggling toward democracy, as well as certain non-democratic states, are adopting 'anti-cult' laws and policies that are based in part on those of Western Europe. In non-democratic nations, lacking a tradition of commitment to human rights and rule of law, 'anti-cult' laws could easily be implemented in ways that result in the persecution of people of faith."

The very fact that these items are included in the Executive Summary is a positive step, as none of these items are included in the body of the Western Europe reports themselves. To characterize the treatment of religious minorities as "troubling" and leading one to believe that the state's actions are solely one of misidentification is dangerous and erroneous. In France for instance, the About/Picard Law passed in 2001 establishes a new crime of "mental manipulation" which is not defined anywhere in French law. One French official with whom Institute on Religion and Public Policy staff met clarified by saying that, "Mental manipulation is similar to pornography in the United States; we'll know it when we see it." This law further goes on to bring about serious criminal and civil punishments—including closings of religious institutions and all related organizations, fines, and even

barring access to one's own children. This is much more serious and concrete than simply calling someone a sect or cult.

Further, the Executive Summary makes reference to the exportation by elements of the French government of the About/Picard model; yet neither the Summary nor the report itself notes that officials of the Inter-ministerial Commission to Battle Sects and Cults—an official government agency whose head reports directly to the Prime Minister—visited 88 countries in a period of only three years. I would challenge the committee to investigate whether or not the Office of International Religious Freedom at State has the resources, manpower, and mandate to visit as many countries in the same period of time. I would venture to guess that it could not.

There are other equally egregious oversights in the report relating to issues mentioned earlier. However, one cannot place the blame on the Office of International Religious Freedom. Their hard work, dedication to the issue, and fulfillment of American commitments to international agreements—and domestic law—is unquestionable.

The problems lie in the overall attitude and understanding of the role of religion and freedom of conscience in American foreign policy. From the bureaucratic obstacles and intellectual and philosophical antipathy to the issue in the United States Government, to the lack of understanding, interest, and attention to individuals within the Administration, to the lack of direction, misunderstanding of role and position, and inappropriate actions and sentiments of institutions established by law to “work” on international religious freedom, the issue of international freedom of conscience is not taken seriously.

Madame Chairwoman, I call on you and the entire Subcommittee to become further activated on the issue of international freedom of conscience. Your role as an oversight committee allows you to advance fully and truly the original intent of the International Religious Freedom Act, the commitment of the United States to human rights and religious freedom, and the sentiment of the American people.

The right to life, the right to freedom of religion or belief and respect for religious and cultural heritage are the basic premises for human existence. The fact that there are still many places today where the right to gather for worship is either not recognized or is limited to the members of one religion alone or where religious belief is pushed aside in the name of development or “modern thought” is a sad commentary on any claim to a more just, peaceful world where fundamental rights and freedoms are more widely promoted and respected.

Religious liberty, in the full sense of the term, is the first human right. This means a liberty which is not reduced to the private sphere only. To discriminate religious beliefs, or to discredit one or another form of religious practice, is a form of exclusion contrary to the respect of fundamental human values and will eventually destabilize society, where a certain pluralism of thought and action should exist, as well as a benevolent and brotherly attitude. This will necessarily create a climate of tension, intolerance, opposition and suspect, not conducive to social peace.

All peoples have the right to express their faith and religious beliefs as they so wish according to the dictates of their minds, hearts and consciences, immune from coercion on the part of individuals or of social groups and of any human power, in such wise that no one is to be forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others within due limits.

Differences between religious traditions, must be accepted, respected, and tolerated. The practice of any faith must be conducted with respect for other religious traditions. Religious tolerance must be based on the conviction that God wishes to be adored by people who are free. This is a conviction which requires us to respect and honor personal conscience, wherein each person meets God.

When such respect and understanding is not realized, and when the differences in religious belief or conviction leads to civil strife and war, there is a need for mutual forgiveness. The commitment to religious tolerance and collaboration must be based upon the conversion of hearts and upon prayer, which will also lead to the necessary purification of past memories.

The United States Government must accept its awesome responsibility of both protecting American vital interests and promoting American values in its bilateral relationships and discussions. As America's representatives, it falls upon you to remind foreign governments—and the US Government—of their international commitments regarding freedom of conscience and protection of minority rights. The United States must have a flexible foreign policy which allows it to hold its allies to the same criteria and levels to which it holds its opponents.

It is time to acknowledge the atrocious treatment that people of faith receive around the world. It is time to send the governments of these nations clear messages that they cannot persecute people of faith while the world stands silently by.

It is time to acknowledge that China, India, Pakistan, Saudi Arabia, and Turkmenistan fit precisely the characteristics of a “Country of Particular Concern” as defined by American law. To do anything less is a clear signal that they can continue their brutal subjugation of people of faith with impunity, while America watches and remains silent.

The fate of religious minorities around the globe rests on the willingness of courageous souls, called by virtue and filled with the desire to promote liberty and justice, to resist the temptation of apathy and speak for truth.

Thank you, Madame Chairwoman, for the opportunity to share my remarks.

LETTER FROM JOSEPH K. GRIEBOSKI, PRESIDENT, INSTITUTE ON RELIGION AND PUBLIC POLICY, TO THE HONORABLE COLIN POWELL, SECRETARY OF STATE, ON CPC DESIGNATIONS

*November 4, 2002*

The Honorable COLIN POWELL, *Secretary of State*,  
U.S. Department of State,  
Washington, DC.

DEAR MR. SECRETARY: The International Religious Freedom Act of 1998 requires the Department of State to designate nations that “engaged in or tolerated particularly severe violations of religious freedom” as “Countries of Particular Concern.” I am writing to encourage you to name *China, India, Pakistan, Turkmenistan*, and *Saudi Arabia* as countries of particular concern.

Religious freedom is not provided in *China*. The record of disregard by the Chinese Government for human dignity and the fundamental rights of freedom of conscience and freedom of assembly is long and broad. While the Constitution of the People’s Republic of China provides for freedom of belief and the freedom not to believe, the last year has seen the Government intensify its campaign against unregistered religious communities and to control more tightly the growth and scope of the activity of official religious organizations. Members of unapproved religious and spiritual groups, such as the Falun Gong Movement, have been subjected to harassment, torture, and death, and these incidents are on the rise. As the recent report of the United States Commission on International Religious Freedom clearly states, “[The government of the People’s Republic of China] apparently has also been involved in the confiscation and destruction of up to 3000 unregistered religious buildings and sites in southeastern China.” The situation of Catholics and Protestants in China has deteriorated, even those in official organizations, as have the conditions of Uighur Muslims.

In August of this year, Chinese authorities in southeastern China detained a Roman Catholic nun for teaching a summer vacation religion class; Bishop Jia Zhiguo, the underground Roman Catholic bishop of Zhengding, Hebei, was arrested about on March 20, 2002, and his whereabouts are still unknown; in February 2002 Chinese authorities were accused of having killed 129 people and arrested nearly 24,000 in a crackdown on Christian churches that operate outside government control and accused senior Chinese leaders of approving the violence; six more reports of Falun Gong practitioners dead in China after police abuse have surfaced in the last ten days.

That religious persecution is severe in *India* is uncontestable. The Indian government has recently claimed the right to impose “reasonable restrictions” on the educational institutions run by religious minorities. The Supreme Court hearing is a bid to resolve confusion over the understanding of minority rights, including the guarantee that religious and linguistic minorities should be free “to establish and administer educational institutions of their choice.” The current ruling coalition in India’s federal government, led by the pro-Hindu Bharatiya Janata Party (BJP), is opposed to the concept of “minority rights.” In its 1998 election manifesto, the BJP promised to move toward the elimination of special rights for religious and linguistic minorities.

In another incident, a Catholic school run by Ursuline nuns in south India was threatened by Hindu groups and told to drop the “Our Father” prayer from the school assembly. Hindu extremists visited the Vidya Jyothi School at Mysore and warned the Ursuline Sisters of Somasca, who administer the school, to stop the recitation of the Lord’s Prayer face “dire consequences.”

In April of this year, Christian and Muslim groups in India criticized that country’s federal government for its negative response to international pressure for protection of religious minorities in the troubled state of Gujarat. The All India Catholic Union and the All India Christian Council joined with counterpart Muslim groups in a public statement rejecting the notion—put forward by the federal gov-

ernment, which is led by the Hindu Bharatiya Janata Party (BJP)—that Western nations were “interfering and taking sides” when they expressed concern over the continued violence against Christians and Muslims in Gujarat. Religious violence, the groups said, “is not a mere internal matter for India, but an issue of concern to every compassionate and democratic human being on the globe.” The joint statement charged: “By turning the killings into a political debate, the government mocks not just the dead, but also insults Indian democracy and the rule of law.”

Any attempt on the part of the BJP-led coalition government to limit the rights of religious and linguistic minorities is anathema to the most fundamental concepts of democracy itself. A democratic system is one in which the majority rules but with special protection of the rights of minorities. To limit the rights of these minorities is nothing more than state-sponsored discrimination.

The *Pakistani* Government under the leadership of President Pervez Musharraf has made great strides toward human rights and freedom of religion and belief in Pakistan within the last several weeks alone. However, several important steps toward greater personal freedom and liberty in Pakistan must be taken. The Blasphemy Law in Pakistan serves as a tool of repression against religious minorities, including Christians and Ahmadi Muslims.

The Constitution of Pakistan—which was suspended following October 1999 coup—provides for freedom of religion, and states that adequate provisions shall be made for minorities to profess and practice their religions freely; however, the Government imposes limits on freedom of religion. Religious freedom is “subject to law, public order, and morality,” accordingly, actions or speech deemed derogatory to Islam or to its Prophet, for example, are not protected. In addition, the suspended Constitution requires that laws be consistent with Islam and imposes some elements of Koranic law on both Muslims and religious minorities.

In September of this year gunmen attacked the Justice and Peace Commission in Karachi, Pakistan, tying up seven Christians before shooting them execution-style. The attack came just days after police had said they were stepping up security around Christian institutions following the arrests of Islamic militants who were found carrying maps of churches and other buildings owned by Christians.

This is yet another incident of blatant disregard for Christian citizens of Pakistan by the Government. Violence against Christians in Pakistan will not end until the atmosphere of discrimination and intolerance entrenched in Pakistani law and society is removed. President Musharraf must remove Article 2 of the Constitution and the Blasphemy Law.

The attacks on Christians in Pakistan has grown at a tremendously alarming rate, while the Pakistan Government does nothing to seek justice and curb the rise of anti-Christian sentiment in the nation.

The U.S. State Department’s 2002 report on religious freedom details the Government of *Turkmenistan*’s destruction of places of worship, arbitrary arrests of believers, forced evictions in retaliation for holding peaceful Bible studies, torture of believers, the flight of people of faith to avoid persecution, and a general environment in which peaceful faiths are systematically persecuted and subjugated.

In Turkmenistan, where the ruling regime is reminiscent of Stalin’s, only the official Soviet-era Sunni Muslim Board and the Russian Orthodox Church are recognized by the state as legal religious communities. Members of unregistered communities—including Baha’is, Christians, Hare Krishnas, and Muslims operating independently of the Sunni Muslim Board—have been reportedly detained, imprisoned, deported, harassed, fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed. The Central Asian State of Turkmenistan became independent following the break-up of the Soviet Union in 1991. Since then it has been dominated by President Saparmurad Niyazov, who has exercised a monopoly on power as both head of state and head of government. The government is extremely intolerant of dissent, restricting political and civil liberties and retaining tight control of the media. Foreign human rights activists, journalists and representatives of religious organizations have been barred from Turkmenistan, or deported, making independent monitoring extremely difficult.

Religious groups other than Russian Orthodox Christians and Sunni Muslims face harassment and imprisonment, as well as external and internal exile. The last remaining foreign missionaries were expelled earlier this year.

As stated by the United States Commission on International Religious Freedom, “The government of Turkmenistan severely restricts religious activity other than that engaged in by the official Sunni Muslim Board and the Russian Orthodox Church. Members of unrecognized religious communities—including Baha’is, Baptists, Hare Krishnas, Jehovah’s Witnesses, Muslims operating independently of the Sunni Muslim Board, Pentecostals, and Seventh-day Adventists—have reportedly

been arrested, detained (with allegations of torture and other ill-treatment), imprisoned, deported, harassed, fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed. Specific promises made by President Niyazov to senior U.S. officials in 1999 have not been carried out; in fact, the situation continues to deteriorate, eliminating expectations for improvement."

In *Saudi Arabia*, the government brazenly denies religious freedom and vigorously enforces its prohibition against all forms of public religious expression other than that of Wahabi Muslims. Numerous Christians and Shi'a Muslims continue to be detained, imprisoned and deported. As the State Department Report on Religious Freedom bluntly summarized: "Freedom of religion does not exist."

Islam is the official religion and all citizens must be Muslims. The Government prohibits the public practice of other religions. According to statements issued by senior Saudi officials, private worship by non-Muslims is permitted.

The Constitution declares Saudi Arabia to be an Islamic state that depends on the Koran for its definition of law. Islamic practice adheres to the Hanbali school of the Sunni branch of Islam, a particularly strict and conservative form. According to Article 13, "Education aims at the implantation of the Islamic creed in new generations..." Article 40 of the constitution prohibits interference with communications and "protects human rights in accordance with Islamic Shariah."

In a pamphlet provided by the Saudi Arabian government, "Anyone in Saudi Arabia is entitled to his own beliefs and practices. But Saudi Arabia cannot allow the public practice of any religion which contradicts Islam. Saudi Arabia is a special place; it is the cradle of Islam and the Prophet Mohamed declared it a preserve of Islam. A lot of so-called dissidents want all non-Muslims thrown out of Saudi Arabia. But the government takes a far more moderate stance." These are the reasons given by the Saudi government for forbidding public worship by other religions.

Both atheism and apostasy (conversion to another religion) are punishable by death. The possession of non-Islamic religious objects, including Bibles, rosary beads and crosses is prohibited.

In 1997, the Saudi Defence Minister said in an interview: "People who worship quietly in their homes are not a concern of the Saudi government". In a statement to the UN in April 2000, Prince Dr Turki Ibn Mohammed Ibn Saud Al-Kabeer said: "No non-Muslims had ever been subjected to prosecution or punishment because of their religious faith."

However, the evidence suggests otherwise, with Christians continuing to be arrested, detained and deported.

Just this past Sunday, the Kingdom of Saudi Arabia warned non-Muslims residents Sunday not to eat, drink or smoke in public during the fasting hours of the Islamic holy month of Ramadan, starting later this week. A statement by the Ministry of Interior, carried by the official Saudi Press Agency, said violators could face "deterrent measures" that include losing their jobs and deportation.

The Department of State must accept its awesome responsibility of both protecting American vital interests and promoting American values in its bilateral relationships and discussions. As America's top diplomat, it falls upon you to remind these governments of their international commitments regarding freedom of conscience and protection of minority rights. The United States must have a flexible foreign policy which allows it to hold its allies to the same criteria and levels to which it holds its opponents.

It is time to acknowledge the atrocious treatment that people of faith receive in these countries. It is time to send the governments of these nations clear messages that they cannot persecute people of faith while the world stands silently by. It is time to acknowledge that India, Pakistan, Saudi Arabia, and Turkmenistan fit precisely the characteristics of a "Country of Particular Concern" as defined by American law. To do anything less is a clear signal that they can continue their brutal subjugation of people of faith with impunity, while America watches and remains silent.

Religious liberty, in the full sense of the term, is the first human right. This means a liberty which is not reduced to the private sphere only. To discriminate religious beliefs, or to discredit one or another form of religious practice, is a form of exclusion contrary to the respect of fundamental human values and will eventually destabilize society, where a certain pluralism of thought and action should exist, as well as a benevolent and brotherly attitude. This will necessarily create a climate of tension, intolerance, opposition and suspect, not conducive to social peace.

All peoples have the right to express their faith and religious beliefs as they so wish according to the dictates of their minds, hearts and consciences, immune from coercion on the part of individuals or of social groups and of any human power, in such wise that no one is to be forced to act in a manner contrary to his own beliefs,

whether privately or publicly, whether alone or in association with others within due limits.

The fate of religious minorities around the globe rests on the willingness of courageous souls, called by virtue and filled with the desire to promote liberty and justice, to resist the temptation of apathy and speak for truth.

With cordial personal regards and best wishes, I am,  
Sincerely yours,

JOSEPH K. GRIEBOSKI, *President*.

---

FELICE GAER'S RESPONSES TO QUESTIONS BY THE HOUSE SUBCOMMITTEE ON  
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

*1. The U.S. Commission on International Religious Freedom last week issued its recommendations on countries which should be designated as "countries of particular concern" under the International Religious Freedom Act and, listed India, among them. While the Indian government has not taken the necessary actions to punish those responsible for the killings in Gujarat nor to deter any further violence, these deplorable acts have been attributed to local governments and not the national government. Could you elaborate upon the factors which the Commission believes require India's designation as a CPC country? If designated, what actions would you recommend the U.S. take regarding India? How does the situation in India with government inaction, compare to the lack of response or weak response by European governments regarding the rise in anti-Semitism in Europe?*

The Commission recommends that India be designated a "country of particular concern" (CPC) not because the central government has engaged in particularly severe violations of religious freedom, but because the government has tolerated such violations perpetrated by others in India. The International Religious Freedom Act of 1998 (IRFA) requires CPC designation for those countries whose governments have either engaged in or tolerated particularly severe violations of religious freedom, defined as systematic, ongoing, egregious violations of the internationally-recognized right to freedom of religion.

Despite India's democratic traditions, religious minorities in India have periodically been subject to severe violence, including mass killings, and those responsible for the violence are rarely ever held to account. With the rise in political influence of groups associated with the Sangh Parivar, the climate of impunity for the perpetrators of attacks on minorities appears to have strengthened. Attacks on Christians in recent years have included killings, torture, rape and harassment of church staff, and destruction of church property. After 58 Hindus were killed at a train station, hundreds and perhaps a thousand Muslims were killed in the state of Gujarat in retaliatory attacks by Hindu mobs. Many were burned to death; others were stabbed, shot or suffered other atrocities, including rape and mutilation. Official bodies within India found evidence in the killings of premeditation by some Hindu extremists; complicity by Gujarat state government officials; and police inaction in the midst of attacks on Muslims. While it may be true that the BJP-led central government has not been directly responsible for the violence against religious minorities, it is clear that this government has not done all that it could to pursue the perpetrators of the attacks and to counteract the prevailing climate of hostility against these minority groups.

The nature of government inaction in India differs in several ways from the weak or absent response of European governments to the recent rise of anti-Semitism in those countries. In India, large numbers are often detained after communal violence, but many people are then released for lack of evidence. The Indian government (according to the Department of State) is "less likely to act against Hindu extremists implicated in communal violence." In contrast, rather few people have been detained in the European cases. Additionally, India has rules and plans in place to quell "communal violence" and establish federal rule on an emergency basis; in the case of Gujarat, such plans were not enforced. Yet, Indian authorities also claim that the country's federal structures make it less likely for them to intervene with local police to demand or conduct investigations or other action. In contrast, European authorities rarely arrest perpetrators of violent acts of anti-Semitism. (When they do, their court systems work more effectively.) In fact the European governments can be faulted for not even documenting the hate crimes against Jews and their property. They often leave this responsibility to local (usually Jewish) organizations. In Europe, anti-Semitic violence often takes on racial as well as religious overtones. In India, the violence is explicitly religion-related, and not racial in form or content. And in Europe, some governments explicitly blame the Jews for these actions directed against them, advising, for example, that Jews should "remain quiet and in-

conspicuous.” However, it is notable that when inaction on anti-Semitism is finally brought to their attention, European leaders will often speak out publicly against it.

*2. If all the countries the Commission recommends are designated CPC countries, what different actions by the U.S. would you recommend? For example, would you recommend the same response to China, Vietnam and Burma, that you would India, Pakistan or Saudi Arabia? Please explain.*

The Commission has recommended numerous and varied U.S. government actions toward designated CPC countries in its annual and country reports and other public statements and Congressional testimony. Examples of Commission recommendations include: in the case of China, urging the U.S. government to make stronger statements condemning religious freedom violations and ensure that religious freedom is a more integral part of its relationship with China; in the case of Turkmenistan, recommending that the U.S. suspend all non-humanitarian aid; and, in the case of Uzbekistan, encouraging the U.S. government to use its bi-lateral engagement to press for a mechanism to review all cases of persons detained in connection with religious, political or security offenses and release those unjustly detained or sentenced.

The Commission has never suggested that the same action could be applied to all countries recommended for CPC designation. In determining its recommendations for U.S. government action, the Commission examines many factors, including the nature of the U.S. relationship with the country in question, the points of leverage available (if any), the quality and quantity of American aid to the country, the extent to which there is an independent judicial system and/or a functioning civil society in the country, and whether the government itself is perpetrating the religious freedom violations or tolerating the actions of others. Clearly, it would not be possible to recommend the same action for every country.

*3. How has the BJP's nationalist agenda affected the situation in India with respect to religious minorities? How does it vary from region to region? What recommendations would you offer the Indian central government to address the violence fueled by the BJP's agenda and policies? What recommendations would you offer the Indian government to improve the relationships between religious communities and between religious minorities and the state?*

The Commission has examined the situation with regard to the BJP's nationalist agenda and the impact it has had on religious minorities in India, and respectfully refers the Subcommittee to the May 2001 report by the previous commissioners. Also in the chapter on India are numerous recommendations to the U.S. government on steps needed to promote religious freedom in that country, including with regard to the violence attributed to Hindu extremist groups and the climate of violence and religious intolerance that has been generated in recent years. The Commission makes no recommendations to foreign governments and thus has made no recommendations directly to the Indian government. All of the Commission's recommendations are directed to the U.S. government in order to ensure that the promotion of religious freedom is an integral part of our government's relations with other countries.

*4. According to the Religious Freedom Reports, the National Human Rights Commission in India found no “organized pattern of anti-Christian activity.” Do you agree with this assessment? Do you believe that there is an organized pattern of anti-Muslim activity? Do you believe that Gujarat is indicative of a systemic problem or militant, extremist activity?*

The Commission has not found a deliberate, organized systematic pattern of anti-Christian violence in India; however, the Commission remains seriously alarmed about the significant increase in attacks against Christians that has occurred since the BJP came to power in India more than four years ago. These concerns are outlined in the Commission's May 2001 report on India. Further, the Commission has expressed its concern over the attacks against Christians and churches in Gujarat in the context of the violence there this past year.

The violence in Gujarat is indicative of a certain kind of ongoing problem, which is the persistent failure on the part of the Indian government to hold perpetrators of extremist violence against religious minorities accountable for their actions and to counteract the prevailing climate of hostility against members of minority religions. This appears to be particularly common with regard to reports of less frequent arrests of Hindu extremists alleged to be perpetrators. In September of this year, when terrorists killed over 30 worshippers at a Hindu temple in Gujarat, grave fears of a renewal of violence against Muslims did not result in such retaliation.



tory acts, largely because the national government acted swiftly and decisively to issue instructions to the Gujarat state authorities that such revenge-based killings would not be acceptable. This revealed a great difference in situations where the national government chooses to take steps to counter the actions of anti-Muslim extremists.

*5. The report on Pakistan, refers to the Anti-Terrorist Act which punishes any act, including speech which, according to the reports, is "intended to stir up religious hatred." Is this the Act's true purpose? How has it been enforced? How has it been used against religious minorities and used to restrict religious activity?*

Terrorism, including religiously restricted violence, has been a serious problem in Pakistan. The Anti-Terrorism Act, adopted in 1997 and amended since, had several stated intentions, among them to provide for the "prevention of terrorism, sectarian violence, and for the speedy trial of various heinous offenses." It also aimed to give the police, law enforcement personnel, and the army enhanced powers in such cases. The State Department report, citing the intention regarding religious hatred, appears to be trying to clarify, for persons outside south Asia that the meaning of "sectarian violence" is commonly violence that occurs between communities with clear-cut religious differences, whether within a religion (e.g. Shi'ia vs. Sunni) or between different faiths or minorities (Ahmadis, Christians, etc.) Though it is not really possible to comment on the precise purpose the Pakistani authorities intended in passing the Anti-Terrorist Act, terrorism, including religiously motivated violence, has been a serious problem in Pakistan for several years.

Pakistan suffers from considerable "sectarian" and religiously-motivated violence, much of it committed against Shiites by Sunni militants, but also against religious minorities such as Ahmadis and Christians. Over the past year, there has been an upsurge in anti-Christian violence, including fatal attacks directed against churches, a missionary hospital, and humanitarian organizations. Police protection appears ineffectual and, although the Pakistani government did take some steps with regard to the recent attacks on Christians, no one yet has been successfully prosecuted for the killings. Perpetrators of attacks on minorities are seldom brought to justice.

The Commission has found that Pakistani officials have regularly misused the Anti-Terrorist Act in several ways, including to repress religious minorities. During its visit to and public hearing on Pakistan, the Commission received reports from several representatives of religious minorities that the misuse of the Act is in part an element of the injustices that are perpetrated under the cover of the blasphemy laws, as blasphemy is currently on the list of crimes that may be tried by special anti-terrorist courts. In these courts, the accused has far fewer procedural protections, and more restricted rights to appeal, than in normal criminal courts. This combination of blasphemy and anti-terrorist laws is used particularly to deny rights and protections to Pakistan's Ahmadi population.

*6. Please elaborate on the role and activities of the Ministry of Religious Affairs in Pakistan? Is it used as a tool of discrimination and persecution of religious minorities? Do you foresee it becoming like the Taliban's vice and virtue office and the Taliban's secret police?*

The Commission has not received reports specifically and exclusively linking the Ministry of Religious Affairs to discriminatory violations of religious freedom or persecution of religious minorities in Pakistan. However, that Ministry is one element of a government that, in the Commission's view, has not done enough to protect the rights and safety of members of religious minorities in Pakistan who are at risk. The problem includes: (1) a significant level of social prejudice against non-Sunni Muslims (including Shiites and Sufis), as well as against Ahmadis and Christians, that frequently leads to violent attacks against them; (2) discriminatory religious legislation, which helps to foster this atmosphere of religious intolerance and erodes the social and legal status of non-Muslims; and (3) fewer protections for non-Muslims than for members of the majority Sunni Muslim community. Sunni Muslims have also been targeted at times for prosecution under the blasphemy laws and violence for their religious beliefs. What is more, religiously motivated violence against members of religious minorities goes largely unpunished.

The Commission cannot foretell whether Pakistan's Religious Affairs Ministry will become a body similar to the Taliban's vice and virtue office in Afghanistan or its secret police. Much will depend on whether extremist intolerant forces continue to gain influence. Preventing further deterioration of religious freedom is an important reason why the U.S. government must continue to make religious freedom concerns an integral part of its relationship with Pakistan, and continue to monitor the application and enforcement of dubious laws and decrees. To this end, as the Commission noted last year, the U.S. government should urge the Pakistani government to pre-

vent sectarian violence and punish its perpetrators, including disarming militant groups and any religious schools that provide weapons training.

*7. The Report on Iran makes references to Baha'is being able to obtain passports more easily and some Iranian embassies not requiring applicants to state a religious affiliation. Do you believe that examples such as these are valuable to the report? Do they contribute to the presentation of the situation in Iran or do such references merely confuse the issue and give a false sense of progress?*

While the State Department's reporting on Iran has been comprehensive and fairly accurate over the past few years, improvements in the religious freedom situation have not always been thoroughly explained and, in some cases, may in fact give a false sense of progress. This problem is not limited to Iran.

The State Department Annual Report on International Religious Freedom includes a section in the Executive Summary entitled "Improvements in International Religious Freedom," the contents of which are also reported in the individual country chapters. When this section first appeared in the 2000 Annual Report, the Commission commented that the reporting of such "improvements" must be carefully handled in order to avoid misrepresentation of the conditions of religious freedom. Positive developments deserve to be noted in the report, but anything less than real and fundamental progress should not be labeled as "improvements". Severe persecutors can make a positive gesture without improving the overall conditions of religious freedom. On occasion they do it to deflect criticism and mislead foreign observers. The Commission is concerned that the mention of small steps particularly in the Executive Summary of the Report "could overshadow an overall negative situation."

According to information that the Commission has received from Baha'i officials, while certain minor positive developments have occurred over the last several years, the status of the Baha'i community has actually deteriorated in the last few months. There are indications that the issuance of passports is motivated by the desire of the Iranian authorities to have Baha'is leave the country. The recent decision of the Islamic regime to equalize non-Muslims and Muslims in the amount of "blood money" payable to the family of a murdered person by the murderer does not apply to Baha'is because they are not recognized as a religion.

While all religious minorities suffer in Iran, particularly severe violations are principally directed towards the 300,000 to 350,000 followers of the Baha'i faith. Baha'is are often viewed as "heretics," and may face repression on the grounds of "apostasy." Government authorities have killed more than 200 Baha'i leaders in Iran since 1979, and more than 10,000 have been dismissed from government and university jobs. Baha'is may not establish houses of worship, schools, or any independent religious associations. In addition, Baha'is are denied government jobs and pensions as well as the right to inherit property, and their marriages and divorces are not recognized. Their cemeteries, holy places, and community properties are often seized and some are destroyed. This situation is not fundamentally altered by a few minor positive points, as cited.

*8. Given the current debate currently taking place in the Congress, what actions do you believe the United Nations Commission on Human Rights, the Office of the High Commissioner for Human Rights, the Secretary-General should undertake regarding religious persecution and abhorrent violations of human rights by the Iraqi regime? What has the UN done to address, for example, the denial by the Iraqi regime of food and medicine to religious minorities-food and medicine that should have been supplied under the UN oil-for-food program?*

The Commission again recommended in 2002 that the State Department re-designate Iraq as a "country of particular concern" (CPC) under IRFA for particularly severe violations of religious freedom. The Commission's mandate limits it to making recommendations to the President, Secretary of State, and the Congress, and it does not make specific recommendations directly to United Nations agencies. However, the Commission has urged the U.S. government to continue to strongly support UN resolutions condemning human rights violations in Iraq.

For decades, the government of Iraq has conducted a brutal campaign of murder, summary execution, arbitrary arrest, and protracted detention against the religious leaders and followers of the majority Shi'a Muslim population. The government has also sought to undermine the identity of minority Christian (Assyrian and Chaldean) and Yazidi groups. Although Shi'a Muslims are the largest religious group, Sunni Muslims have historically dominated economic and political life. Shi'a Muslims continue to face summary execution, arbitrary arrest, long prison sentences, harassment, destruction and desecration of property, and decimation of leadership. Christians also face repression, forced relocation, and denial of political

rights. The Constitution does not provide recognition for Assyrians, Chaldeans or Yazidis.

The UN Security Council has strict oversight of the oil-for food program through its UN Office of the Iraq Program. In other contexts, such as North Korea and Sudan, the Commission has taken the lead in bringing attention to the diversion and discriminatory distribution of humanitarian assistance on religious or other grounds. Thus, the Commission would encourage the U.S. government to urge the Office of the Iraq Program to ensure that the unimpeded dispersal of food and medicine to religious minorities and other Iraqi citizens be guaranteed. There are other measures that could be recommended, but the first is to acknowledge and avoid silence or complicity in the face of abuses outlined above, attributable to the Iraqi government.

*9. The 2002 Report on China states that the situation remained poor. Yet, the 2001 reports on religious freedom and independent information the Subcommittee has received throughout the period covered by the Report indicate the situation has worsened. What is the Commission's assessment [of the situation in China] based on your independent investigations?*

The Commission has concluded that religious freedom in China has deteriorated in the past year. Chinese government officials continue to monitor and to control organized religious activities. The government also prevents groups from organizing and operating according to their own religious principles, including the training and selection of leaders. As part of the government's crackdown on religious activities, individuals have been charged with or detained under suspicion of offenses that essentially penalize them for manifesting freedoms of religion or belief, speech, association, or assembly. Groups subject to such repressive acts include Protestant Christians, Roman Catholics, Tibetan Buddhists, Uighur Muslims, and others, such as members of Falun Gong, that the government has labeled "evil cults."

In December 2001, for the first time since the adoption of the 1999 "evil cult" law, a Protestant Christian pastor was sentenced to death. Since October 2001, the political crackdown has intensified in the province of Xinjiang, where dozens of Muslim clerics and students were reportedly detained or arrested for allegedly "illegal" religious activities. The Chinese government retains tight control over religious activity and places of worship in Tibet. Hundreds of Tibetan Buddhist monks and nuns remain in prison and are reportedly subject to torture and other extreme forms of punishment. The Chinese government has also continued its brutal crackdown against the Falun Gong movement and its followers.

In October 2002, the Commission wrote to President Bush in advance of his meeting with Chinese President Jiang Zemin, urging the President to raise religious freedom concerns, as well as the plight of North Korean refugees, with the Chinese President. Specifically, as the U.S. and China expand economic ties and cooperation in the war against terrorism, the Commission recommended that, in accordance with China's obligations under the international human rights treaties to which it is already a party, President Bush urge the Chinese government to:

1. halt the forced repatriation of North Koreans, grant refugee status to those who meet international criteria, and cooperate with the UN High Commissioner for Refugees;<sup>1</sup>
2. release persons in China confined on account of their religion or belief and stop further detention, imprisonment, torture, and other forms of ill treatment of persons on that basis;
3. reform laws, policies, and practices that govern religious and spiritual organizations and activities. The release of a few individuals imprisoned on account of their religion or belief, while welcome, does not represent the kind of systemic improvements that are necessary to bring China's laws and practices into conformity with international law, and thus eliminate state control of, and undue government interference with, religious groups and the conduct of religious activities;
4. provide access to religious persons in all regions of China by foreign diplomats, humanitarian organizations, and international human rights and religious freedom organizations, as well as this Commission and delegations of

<sup>1</sup>Tens of thousands of North Koreans have nevertheless fled there to escape the dire economic and political conditions in their own country. Although the Chinese government has permitted some North Koreans to resettle in South Korea in recent months, many more have been forcibly repatriated by Chinese authorities despite China's ratification of international treaties on refugees. North Koreans who return—voluntarily or otherwise—face imprisonment, or even death, at the hands of the North Korean authorities.

the Congress (including access to unofficial Catholic Bishops, evangelical Protestants, members of the Falun Gong, the young Panchen Lama, and others in Tibet and Xinjiang who are imprisoned, in detention, or under house arrest); and

5. respect the right to freedom of religion or belief as an integral part of the Chinese government's approach to issues of counter-terrorism and security, in particular among Uighur Muslims in Xinjiang Province where the government has repressed peaceful religious practice. As President Bush has stressed on several occasions, the fight against terrorism must not serve as an excuse to persecute religious minorities in any country.

10. *Ms. Gaer, using China and Vietnam as examples, could you please elaborate on the process by which you evaluate the status of religious freedom and nominate countries to be designated as "countries of particular concern"? How does it differ or compare to the process used by the Department of State?*

Among the most significant responsibilities conferred under IRFA are the designation of "countries of particular concern" (CPCs), and the implementation of meaningful policies in response to such designations. The designation of CPCs brings into the spotlight the most egregious violators of religious freedom. The designation is also designed to inform decision-making in other aspects of U.S. relations, such as foreign assistance, including security assistance, and U.S. participation in international financial institutions with regard to those countries. Unfortunately, the State Department has failed to designate countries that meet the IRFA criteria.

IRFA requires CPC designation for those countries whose governments have either engaged in or tolerated particularly severe violations of religious freedom. Particularly severe violations of religious freedom are defined in IRFA § 3(11) as:

*systematic, ongoing, egregious violations of religious freedom, including violations such as—(A) torture or cruel, inhuman or degrading treatment or punishment; (B) prolonged detention without charges; (C) causing the disappearance of persons by the abduction or clandestine detention of those persons; or (D) other flagrant denial of the right to life, liberty, or the security of persons.*<sup>2</sup>

The Commission has, on an annual basis, applied these statutory criteria for CPC designation to its review of the facts and circumstances of violations of religious freedom in all foreign countries. The Commission reviews information on violations of religious freedom as presented in the Department of State's *Country Reports on Human Rights Practices*, and its *Annual Report on International Religious Freedom*.<sup>3</sup> The Commission also consults regularly with independent human rights groups, non-governmental organizations (including representatives of religious communities and denominations), academics, and policy experts,<sup>4</sup> as well as the intelligence community and other government agencies. It also undertakes its own missions to foreign countries to examine religious freedom conditions firsthand. The

<sup>2</sup>The term "violations of religious freedom" is defined in IRFA § 3(13) as "violations of the internationally recognized right to freedom of religion and religious belief and practice, as set forth in the international instruments referred to in section 2(a)(2) and as described in section 2(a)(3), including violations such as—

(A) arbitrary prohibitions on, restrictions of, or punishment for—  
 (i) assembling for peaceful religious activities such as worship, preaching, and prayer, including arbitrary registration requirements;  
 (ii) speaking freely about one's religious beliefs;  
 (iii) changing one's religious beliefs and affiliation;  
 (iv) possession and distribution of religious literature, including Bibles; or  
 (v) raising one's children in the religious teachings and practices of one's choice; or  
 (B) any of the following acts if committed on account of an individual's religious belief or practice: detention, interrogation, imposition of an onerous financial penalty, forced labor, forced mass resettlement, imprisonment, forced religious conversion, beating, torture, mutilation, rape, enslavement, murder, and execution."

The international instruments mentioned in IRFA § 2(a)(2) are: the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Helsinki Accords, the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, the United Nations Charter, and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

<sup>3</sup>The USCIRF and the Office of International Religious Freedom work in cooperation, but they are independent of one another. They were established by the same legislation. The Ambassador at Large for International Religious Freedom serves ex-officio as a nonvoting member of the Commission.

<sup>4</sup>IRFA § 202(e), 22 U.S.C. § 6432(e).

Commission holds public hearings taking testimony from expert witnesses and victims of religious freedom violations.

Based on its evaluations, the Commission considers and recommends on an ongoing basis options for U.S. policies with respect to foreign countries engaging in or tolerating violations of religious freedom, including, where appropriate, designation as a CPC.

On China, since 2000, this Commission has made four formal requests to the Chinese government to visit that country. The Chinese government has either failed to respond or denied the Commission's request. It is our understanding that the U.S. ambassador, State Department officials, and even the President have also raised this request, to no avail as of yet. The Commission sent a delegation to Vietnam in February 2002. The delegation met with Vietnamese government officials and representatives of religious and non-governmental organizations.

The facts on which the Commission has made its 2002 recommendations on CPC status for China and Vietnam are presented fully in its written testimony and in the answers to questions 9 and 11.

There appear to be some differences between the approaches of the Commission and the State Department to CPC designation. As stated above, the Commission applies the statutory criteria laid out in IRFA. In President Bill Clinton's October 27, 1998 signing statement on the International Religious Freedom Act, he noted that presidential action in response to particularly severe violations of religious freedom is "required only when a country has engaged in systematic, ongoing, egregious violations of religious freedom *accompanied* by flagrant denials of the right to life, liberty, or the security of persons. . . ." [Emphasis added.] Thus, the Department of State has taken the position that only those violations specifically enumerated in IRFA § 3(11)(A)-(D) (reprinted above) constitute particularly severe violations of religious freedom. In following the precise words of the statute, however, the Commission reads the specific violations listed in the definition to be *illustrative* of egregious violations rather than an exhaustive list.

In addition, in public statements made by former Ambassador at Large for International Religious Freedom Robert Seiple, he noted the importance of diplomacy as the context in which decisions take place about which country qualifies as a CPC and what actions to take as a consequence thereof.<sup>5</sup> The Commission notes that under IRFA, the designation of a CPC is dependent solely on the facts and circumstances of religious freedom; the consideration of other factors should come into play with respect to what policies to adopt and what actions to take in response to such a designation.

*11. The Commission has issued a number of recommendations on Vietnam contingent upon Vietnam making substantial improvements in the protection of religious freedom. The Commission further outlined how these improvements were to be measured. Could you elaborate on what, if any, progress has been achieved by Vietnamese authorities toward compliance with such standards [provided by the Commission in its recommendations]?*

The Commission is unaware of significant steps taken by the Vietnamese government toward achieving the standards set forth in the Commission's May 2001 report on Vietnam, as well as in subsequent public statements and Congressional testimony.<sup>6</sup> On the contrary, the Commission has found that respect for religious free-

<sup>5</sup> In his testimony on September 7, 2000, before the Subcommittee on International Operations and Human Rights of the House International Relations Committee, Ambassador Seiple stated that "as we apply [the IRFA] criteria in deciding what action to take, we try to place them in the context of diplomacy. Is diplomacy working? Are there trends in one direction or another? Is a particular action likely to help, to hinder, our diplomatic efforts to improve the situation?"

<sup>6</sup> Those standards are:

(1.) Release from imprisonment, detention, house arrest, or intimidating surveillance persons who are so restricted due to their religious identities or activities.

(2.) Permit unhindered access to religious leaders by U.S. diplomatic personnel and government officials, the U.S. Commission on International Religious Freedom, and respected international human rights organizations, including, if requested, a return visit by the UN Special Rapporteur on Religious Intolerance.

(3.) Establish the freedom to engage in religious activities (including the freedom for religious groups to govern themselves and select their leaders, worship publicly, express and advocate religious beliefs, and distribute religious literature) outside state-controlled religious organizations and eliminate controls on the activities of officially registered organizations. Allow indigenous religious communities to conduct educational, charitable, and humanitarian activities.

(4.) Permit religious groups to gather for annual observances of primary religious holidays.

(5.) Return confiscated religious properties.

dom conditions in Vietnam has deteriorated since May 2001. As a result, the Commission recommended in 2002 that Vietnam be designated by the Secretary of State as a “country of particular concern” under IRFA.

The Commission’s February 2002 fact-finding visit to Vietnam enabled it to assess the presence of particularly severe violations of religious freedom in that country. Since 2001, the religious freedom conditions in Vietnam have deteriorated. Key religious dissidents remain imprisoned or under house arrest, and the government has continued its campaign of forcing religious minorities in the northwestern provinces and the Central Highlands to renounce their faith.

Religious groups outside Vietnam are able to identify approximately 100 religious adherents who remain in prison or under some form of detention, including house arrest. In particular, approximately 14 Hoa Hao Buddhists are reportedly either in prison or under house arrest; an estimated 10 Unified Buddhist Church of Vietnam (UBCV) monks and lay leaders are either under de facto house arrest or in reeducation camps or prisons; 20 Hmong Protestants apparently remain in detention; dozens of Montagnard Christians in the Central Highlands have been detained in relation to the government crackdown in 2001; and approximately 10 Catholic priests and lay adherents are still imprisoned. Some religious and human rights groups claim that there may be thousands of religious prisoners in Vietnam who are unaccounted for. The most prominent prisoners or detainees include the Venerable Thich Quang Do of the UBCV, Mr. Le Quang Liem of the unofficial Hoa Hao Buddhist organization, and Father Thaddeus Nguyen Van Ly, who was detained after he submitted testimony to the Commission last year. In addition, the Most Venerable Thich Huyen Quang, the UBCV Supreme Patriarch, has been placed under de facto house arrest without charge for 20 years. In most cases, the individuals involved have been charged with crimes not related to religion, including, for example, “slandering the government,” “disrupting the unity of the people,” and “causing public disorder.”

At the same time, Vietnamese government officials continue to arrest and detain individuals for engaging in “illegal religious activities.” Unofficial house church Protestants and ethnic minority Protestants are two groups most subject to this type of harassment. In 2001, a Mennonite pastor of an unofficial Protestant fellowship in Ho Chi Minh City and his wife were arrested, detained, and beaten for publicizing government violations of religious liberty and for engaging in “unapproved” religious activities. (They have since been released and were able to meet with the Commission delegation in February 2002.) Montagnard Protestants in the Central Highlands have been detained or imprisoned for engaging in religious activities that are not permitted by government authorities. Government suppression has, by all accounts, intensified after a February 2001 protest by the Central Highlanders. In addition to arrests and detentions, government officials in the Central Highlands and in the northwestern provinces, where many Hmong Protestants live, have continued to force ethnic minority Christians to renounce their faith. These renunciation campaigns involved cases where the religious adherents were forced to drink the blood of animals and to sign pledges to renounce their beliefs. Persons who were found to have provided religious training and literature to ethnic minorities have in the past been arrested and imprisoned. For example, a pastor of the Evangelical Church of Vietnam in the north (Hanoi) claimed that he had been jailed and fined for the unauthorized photocopying and distribution of Bibles and hymnals to Hmongs in the Hmong language. Because of the persecution they face, approximately 1,000 Montagnard Protestants were granted asylum in the United States in the past year. The government of Vietnam also places restrictions on the practices of Roman Catholics. It imposes limits on the number of candidates permitted to study for the priesthood and the number of qualified men allowed to be ordained. In addition, the government controls the appointment and assignments of Catholic clergy, determines their place of assignment, and limits their activities exclusively to that town or village.

One of the standards set forth by the Commission in May 2001 was that the Vietnamese government should permit unhindered access to religious leaders by the Commission, U.S. officials, and respected international human rights organizations. Yet, during the Commission delegation’s visit to Vietnam in February 2002, Vietnamese officials repeatedly denied the delegation’s requests for access to or otherwise impeded the delegation’s ability to meet with religious persons who were not members of government-recognized groups, including those who were imprisoned or under house arrest.

---

(6.) Permit domestic Vietnamese religious organizations and individuals to interact with foreign organizations and individuals.

*12. In testimony provided to this Subcommittee by former Commission Chairman, Michael Young, earlier this year, he said that “mere dialogue should not be an end in itself” when dealing with China and Vietnam. Would you agree that without the use of strong definitive measures toward both countries [China and Vietnam] that the U.S. will not be successful in its efforts on behalf of religious freedom? Do you believe that the International Religious Freedom Act needs to be more dutifully implemented with regard to China and Vietnam? What about other countries? Please specify.*

The requirements of IRFA should be dutifully and vigorously implemented with respect to all countries where religious freedom violations occur. In the Commission's view, both China and Vietnam merit designation as “countries of particular concern” (CPCs) under IRFA for particularly severe violations of religious freedom. For such CPC countries, IRFA requires a response by the U.S. government. However, according to the statute, the nature of the response is flexible in order to take into account the nature of the United States' relations with the country in question, in order to determine the points of leverage available, the amount and types of U.S. aid to the country, and the nature of the government in question (i.e., how authoritarian and repressive). With regard to some countries, there are few points of leverage at which IRFA can be applied; in other cases, the nature of the relationship provides a much greater range of pressure points or possible encouragements. In countries such as China and Vietnam, which have highly authoritarian governments that deliberately violate the religious freedom of their citizens, “strong definitive measures” may be both useful and required. In the case of another country, such measures may be counterproductive or have little effect. It is thus not possible to generalize across the board about the way in which IRFA is implemented.

The United States is currently expanding its ties with both China and Vietnam, particularly in the area of trade, but also in other areas such as counter-terrorism. The Commission has repeatedly expressed its concern that expanding ties without any significant U.S. action to oppose religious freedom violations in those countries risks worsening the respect for religious freedom because the failure to take action may be interpreted by the governments of those countries as a signal of American indifference to human rights abuses.

